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# TENNESSEE HISTORICAL MAGAZINE

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## AMERICAN-ENGLISH COMMUNICATIONS OF THREE COLONIAL SCHOLARS, 1700-1775

ROBERT H. CARDWELL

Culture was a difficult attainment in colonial times. The ability of the Colonial to grasp the essentials of cultural development was necessarily slow. In the midst of a vast, virgin land, with insufficient roads, libraries and schools, the opportunities to acquire cultural means and interests were limited. However, the lure of the printed page, whether from some colonial shop or from England, brought eager individuals into an intellectual companionship. Many of the Colonials yearned to learn and did find more than rudimentary culture among the learned professors of Harvard and Yale. Other Colonials, lacking the privilege of learning in an academic circle, turned to books, pamphlets, sermons, almanacs, and scientific papers for intellectual growth and fellowship. For either the college trained man or the eager backwoodsman, the cultural heritage of the Mother Country prevailed as a guide and source of development. While many cultural interests developed within the colonial cities, such as the Philadelphia Public Library, the inspiration for the pursuit of the intellectual and the scientific came from England. The learned professors of Eton Hall and Edinburgh and other English scholars frequently gave abundant consideration and homage to three humble Colonials, two of which are largely unknown.

JOHN BARTRAM

In the class of the unlearned native, handicapped by the inability to spell and write correctly, but never surpassed in the discipline of learning, there was John Bartram, distinguished botanist of Philadelphia. Bartram's schooling took place in the Berkshires, the White Mountains, the river valleys of Pennsylvania, Maryland, Virginia, the Carolinas, Florida and within the confines of his beautiful flower garden near Philadelphia. On the other side of the waters,



his chief patrons, Peter Collinson and Dr. John Fothergill of England advised him of their needs and tutored him in the techniques of collecting and preparing specimens of leaves, flowers, birds, worms, beetles, other insects, snakes and shrubs. They encouraged him by gifts of books, suits of clothes and financial remuneration for his worthy efforts and observations.<sup>1</sup>

The house-wife of the collector was not forgotten in the material benefactions, which often came from his English friends.<sup>2</sup> Instead of silk or satin, the gown was to be of calico. Oddities for others of the family had their place in the cargos from England. Bartram depended upon these material benefactions merely as a means for the opportunity to pursue further the natural content of a world of ever-revealing beauty. Bartram's English friends realized the spirit and the ability of America's most outstanding collector of nature's wonders in the colonies.

The artful Peter Collinson, a devoted friend and patron of John Bartram, has expressed best the new urge of the pursuer in the natural things of the universe.<sup>3</sup>

"There is no end to the wonders in nature. The more I see the more I covet to see; not to gratify a trifling curiosity, but to raise my mind in sublime contemplation on the unlimited power and wisdom of the Great Creator of all things."

In quiet meditations, the Creator of All was manifestly appreciated for His work, but the supernatural held less place in the thought of colonial scientists, who were devotees of nature and natural phenomena.

The new liberalism, while having religious teachers and preachers as its advocates, was practical in dealing with simple observations and collections.<sup>4</sup> Even a tumble bug (beetle) was interesting and entertaining to Peter Collinson, the like of which was sent abroad for learned consultations.<sup>5</sup>

In England, the friends of Peter Collinson, introduced on their estates, the nature collections, which Bartram sent as

<sup>1</sup>Collinson to Bartram, London, March 1, 1735, in Darlington, *Memorials of John Bartram and Humphrey Marshall*, p. 69. "I thought a good suit of clothes, for thy wear, might be as acceptable as anything, so have sent thee one, with all appertinances necessary for its making up, which I hope will meet with thy approbation, and help in some measure to compensate for thy loss of time."

See also, *ibid.*, March 12, 1735-36, in which a fund is started of 10 guineas as a permanent remuneration for Bartram. The submission came from Bartram's English friends. P. 75.

<sup>2</sup>*Ibid.*, January 24, 1735, p. 63. "I have sent thee a small token: a calico gown for the wife, and some odd little things that may be of use amongst the children and family."

<sup>3</sup>*Ibid.*, July 25, 1762, in Darlington, p. 238.

<sup>4</sup>Cotton Mather, Minister and Writer in New England, while not educated in scientific studies, was a student of natural phenomena and one of the outstanding botanical collectors of his day. He was elected as fellow in the Royal Society of London in 1713.

<sup>5</sup>*Ibid.*, March 8, 1741-42, p. 152.

result of his travels and botanical labors. Lord Petree, a most interested patron, requested through Peter Collinson "chickens, Red Birds—cocks and hens, for he has an intention to naturalize them to our climate," and says Collinson, "I doubt not of success."<sup>6</sup> In an earlier letter, Collinson acknowledged receipt of a box of berries, "fresh and in good order," sassafras, cherry stones and several others.<sup>7</sup>

In August of the next year, Collinson requested a number of trees.<sup>8</sup>

"Send more Black Walnuts, Long Walnuts, and both sorts of Hickory, Acorns of all sorts, Sweet Gum, Dog-Wood, Red-Cedar, berries, All-spice, Sassafras; these will be acceptable to the Duke of Richmond; and Lord Petree will like some more."

The exchange of collections mutually followed with a growing list of English recipients such as the Duke of Richmond. With the increase of the years, Bartram's reputation advanced and likewise his correspondents and honors.

The praise of individual friends and correspondents were precursors merely to recognitions by learned societies in London. "I am almost overjoyed in reading," Bartram wrote in 1738, "the contents of this letter, wherein thee acknowledges thy satisfaction of my remarks on the Locusts, Caterpillars, Pigeons, and Snakes. I am very thankful to thee, and the Royal Society for taking so much notice of my poor performances. It is a great encouragement for me to continue my observations of natural phenomena."<sup>9</sup>

Further inquiries were addressed to Bartram such as the following from time to time:<sup>10</sup>

"A Society in London, established for the encouragement of Arts, Manufacturers, and Commerce addressed an inquiry to Bartram on the herbs which grew in America during the cold winter months."

"They further assert that the surest method of improving science, is by a generous intercourse of the learned in different countries, and a free communication of knowledge."

Acknowledged by the Secretary of this Society, Bartram had grown into the class of the learned. Two years later, Bartram was the recipient of a letter, which was a response to his untiring work and amazing success. "The great reputation," wrote Dr. John Hope, Professor of Botany, Edinburgh, "which you have just acquired, by many faithful and accurate observations, and that most extraordinary thirst of knowledge which has distinguished you, makes me

<sup>6</sup>*Ibid.*, June 1, 1736, p. 77.

<sup>7</sup>*Ibid.*, January 24, 1735, p. 63.

<sup>8</sup>*Ibid.*, August 28, 1736, p. 80.

<sup>9</sup>Bartram to Collinson. *Ibid.*, Dec. 10, 1738, p. 119.

<sup>10</sup>*Ibid.*, Templeman to Bartram. September 16, 1760, p. 412.

extremely desirous of your correspondence."<sup>11</sup> Two years later the rank of eminence came to Bartram.

Bartram was appointed the botanist to King George III in 1765.<sup>12</sup> The position was a distinguished honor, for it appears to be a bestowal granted only this one time by an English king to his colonial subjects in America. Bartram had by the discipline of study, natural observation, and extensive travel, become one of the most important scholars in botanical studies and scientific thought in America. As a traveler, the Alleghany waterspread was known thoroughly to him. As a collector and observer of natural phenomena, chiefly botanical items, Bartram was among the first to distinguish himself in the new world. Other Colonials, with a variety of scientific interests, communicated with English friends and patrons.<sup>13</sup> Franklin, alone of the present group, had the experience of meeting personally the elite of England in literature and in science.

#### HUMPREY MARSHALL

The literary interests of Humprey Marshall, a contemporary of John Bartram, are absorbing along with his scientific pursuits. As a boy, he received only a scant education and frequently boasted that he did not go to school one day beyond the age of twelve. Like many Colonials, he had a trade and he followed stonemasonry most of his years. Unable to work at his trade on cold, wintry days, he became a devotee of nature and natural science. His name is written as early as 1753 in his own hand writing in Cole's Latin Dictionary, Quincy's Medical Lexicon, Gerard's Herbal, and a Treatise on Navigation. In 1780, he completed and printed a volume of nearly two hundred pages on American trees under the title of "Arbustum Americanum": The American Grove. The book was read widely by English correspondents. In the field of ethereal observations, Marshall received the commendation of the select scientists of England. For example, in the beginning of 1772, Marshall sent Franklin his "Observations on the Spots of the Sun."<sup>14</sup> Franklin communicated these to the astronomers of the Royal Society, who informed him

<sup>11</sup>Hope to Bartram. *Ibid.*, November 4, 1763, p. 432.

<sup>12</sup>Collinson to Bartram. *Ibid.*, April 9, 1765, p. 368. "I have the pleasure to inform my good friend that my repeated solicitations have not been in vain: for this day I received certain intelligence from our gracious King, that he had appointed thee his botanist, with a salary of fifty pounds a year; and in pursuance thereof, I received thy first half-year's payment of thy salary, being twenty-five pounds to Lady day last, which I have carried to thy account."

<sup>13</sup>In the absence of a history of scientific thought in the Colonies, the best study made up to the present is Brasch, F. E., "The Royal Society of London and Its Influences upon Scientific Thought," in *Scientific Monthly*, vol. 33, pp. 336-355 and 448-469.

<sup>14</sup>Franklin to Marshall, in Darlington, February 14, 1773, London, p. 518.

that they were pleased with them. In a later letter of June 26, 1774, Franklin says: "Your remarks on the spots in the sun were well received by the Royal Society, and are taken notice of in the Transactions."<sup>15</sup> The observations of this distinguished colonial farmer of scientific interests are found in the Transactions of the Royal Society, at London, vol. lxiv, p. 194. The efforts of Marshall were not without their awards of appreciation and remuneration.

Dr. John Fothergill had practically the same communications and interests with Marshall that were so fruitful with John Bartram. He wrote Marshall on April 23, 1771:<sup>16</sup>

"In the insect box I have put up a little tract, tending to show in what manner plants may be best conveyed to Europe, and insects collected. There is, likewise, a small Botanical Dictionary, and an introduction to a translation of some of Linnaeu's works, which I thought would not be wholly useless to thee, or unacceptable."

The sending of books of science, history and literature to these American Colonials were acceptable requitals. There was no materialism about their cultural exchanges and services. The profit motive was absent and a generous golden rule spirit existed. For example, a little over two years later, Dr. Fothergill wrote Marshall:<sup>17</sup>

"A set of William Penn's select works, some smaller series, and the Insect Apparatus, will make up my present cargo. I consider myself much in thy debt; and shall procure thee anything here thou chooses to have, to the value of ten guineas, or make thee a remittance of that sum, if thou chooses it, which may entitle me to thy future regard, in these respects: for the labourer is worthy of his hire."

#### BENJAMIN FRANKLIN<sup>18</sup>

Benjamin Franklin, called by a recent biographer, the "First Civilized American," was the most outstanding Colonist of the eighteenth century. To many Europeans the "First American" was a curiosity; to his opponents in a political broil or diplomatic tangle, he was more than respected; to his friends, he was the discoverer, the inventor, the philosopher, their great friend and benefactor of mankind. His friends were numerous and to mention a few of those who seemed to interest him most is appropriate. They are, as follows:<sup>19</sup>

<sup>15</sup>*Ibid.*, p. 520. Date noted above.

<sup>16</sup>Fothergill to Marshall, April 23, 1771. *Ibid.*, p. 505.

<sup>17</sup>*Ibid.*, 1773, p. 511.

<sup>18</sup>Franklin's communications extended to the learned in most of the countries of western Europe. In this paper the communications are limited to English friends and patrons.

<sup>19</sup>See Ford, "The Many-Sided Franklin," pp. 386-387. Most of these friends are recorded in Ford.

England: Dr. John Fothergill, Peter Collinson, Sir Joseph Banks, Dr. Priestly, Sir William Watson, Sir John Pringle.

Scotland: Sir Alexander Dick, Hume, Robertson, and Lord Kames.

France (submitted just to indicate the extent of the friends of this distinguished Colonial): Guillotin, Lavoisier, Condorcet, D'Alembert, Leroy, Dalibard, and Buffon.

Abroad, Franklin had entry into the intellectual heart of Europe; at home, he corresponded with almost every scientist of importance. He was the "Many-sided Franklin."

As a young man of twenty, Franklin made a favorable impression upon Dr. Mandeville, author of the "Fable of the Bees" and upon Dr. Pemberton, Secretary of the Royal Society.<sup>20</sup> In later life, "men distinguished in science, literature and politics hastened forward to do him honor."<sup>21</sup> David Hume said of Franklin:

"America has sent England many good things, but only one philosopher."

Dr. Priestly paid a very high appreciation and compliment to Franklin in 1777, when Franklin was representing diplomatically the Continental Congress in France. Even though Franklin did a great many things, which took his time and were his professional interests, his friends continued to call forth words of praise for his discoveries in science and the inspiration to others in like endeavors. The joy that Dr. Priestly felt, is as follows:<sup>22</sup>

"I rejoice to hear of your continual progress in those useful discoveries; I find you have set all the philosophers of Europe at work upon fixed air; and it is with great pleasure I observe how high you stand in their opinion; for I enjoy my friend's fame as my own."

There was grace about the maturity of Franklin. His soul spoke in meditations and reflections, such as these: (He is writing to the President of the Royal Society during the Revolution)

"That I long earnestly for a return of those peaceful times, when I could sit down in sweet society with my English philosophical friends, communicating to each other new discoveries, and proposing improvements of old ones; all tending to extend the power of man over matter, avert or diminish the evils he is subject to, or augment the number of his enjoyments. Much more happy should I be thus employed in your most desirable company, than in that of all the grandest of the earth projecting plans of mischief, however necessary they may be supposed for obtaining good."<sup>23</sup>

<sup>20</sup>*Ibid.*, p. 351.

<sup>21</sup>Russell, P., *Benjamin Franklin, The First Civilized American*, p. 187.

<sup>22</sup>*Franklin's Works*, v. 6, p. 80.

<sup>23</sup>Ford, P., *The Many-Sided Franklin*, p. 385.

It is no wonder that England and Europe met Franklin in honor, but the merit that he deserved first had to be won.

Some of the early writings of Franklin escaped just temporarily their value to English friends in the Royal Society. Accounts of some electrical experiments with a fellow Colonial, Kinnersley, were refused a place in the Transactions of the Royal Society of London.<sup>24</sup> One paper, says Franklin in his "Autobiography," was laughed at by a number of the Society members. However, his old friend, Peter Collinson, collected them and published them in a pamphlet, under the title of "New Experiments and Observations on Electricity, made at Philadelphia, in America."<sup>25</sup> Dr. Fothergill wrote the preface. This book went through five editions between 1751 and 1774, and, according to Franklin, was translated into Italian, German, and Latin languages.<sup>26</sup> The Royal Society later drew up summary accounts of these studies and accordingly had them printed in the "Transactions" of the Society.<sup>27</sup> Dr. Priestly in his book, published in 1767, "History of Electricity," gives the story of the Franklin experiments and discoveries. "Nothing was ever written upon the subject of electricity," he says, "which was more generally read and admired in all parts of Europe, than these letters."<sup>28</sup> Many of these papers were sent to Peter Collinson as letters. Franklin was a scientist of first-rate caliber. Europe honored him.

In recognition of his services to science, Franklin received the Sir Godfrey Copley gold medal for the year 1753.<sup>29</sup> Its delivery was accompanied by a very handsome speech of the President of the Royal Society, Lord Macclesfield, wherein Franklin, as he said, was "highly honored."<sup>30</sup> Three years later he was made a fellow of the Society. "Without my having made any application for that honor," Franklin says in his Autobiography, "they chose me a member, and voted that I should be excused the customary payments, which would have amounted to twenty-five guineas; and ever since have given me their 'Transactions' gratis."<sup>31</sup> The old master of science and philosophy died at the ripe old age of eighty-four, honored second to none.

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Knoxville, Tenn.

<sup>24</sup>Franklin, *Autobiography*, pp. 224-5.

<sup>25</sup>*Ibid.* Also Brasch, F. E., in *Scientific Monthly*, vol. 33, p. 452.

<sup>26</sup>*Ibid.*, *Autobiography*, p. 227.

<sup>27</sup>*Autobiography*, p. 228.

<sup>28</sup>Brasch, F. E., in *Scientific Monthly*, vol. 33, p. 452.

<sup>29</sup>*Ibid.*, p. 453. Also, *Autobiography*, p. 228.

<sup>30</sup>*Autobiography of Franklin*, p. 228.

<sup>31</sup>*Ibid.*

# THE FRENCH SPOILIATION CLAIMS, 1816-1836:

## A Study in Jacksonian Diplomacy

R. A. McLEMORE.

The general principle that the national interests and national character of the United States have been among the most important factors in determining the development of its diplomatic policies is too well understood to require elaboration. It is not so clearly understood, however, that the influence of this spirit of nationalism first made itself felt on a permanent basis during the period from 1816 to 1836. Although it had flared up temporarily at the beginning of the war of 1812, the first outstanding illustration of the new nationalism in American foreign policy was the announcement of the Monroe Doctrine. The principles enunciated in this doctrine were effective because of European conditions. John Quincy Adams, who was largely responsible for the conduct of the foreign relations of the United States from 1817 to 1829, was restrained by his training and temperament from giving the fullest expression to the new national spirit emerging in the country.

Andrew Jackson, understanding better the desires of the nation, outlined a new foreign policy when he declared that it was his purpose in dealing with other nations to ask nothing "that is not clearly right and to submit to nothing that is wrong." In carrying out this program he brought to a successful conclusion two questions which had troubled American diplomacy during the Adams period. The first of these problems was the opening of the British West Indian carrying trade to American vessels. The opening up of this trade illustrates the advantage of the practical policy of Jackson.<sup>1</sup> The second problem, and the one in which the new spirit received its fullest expression, is the subject of this study.

The question around which Franco-American diplomatic relations centered in the twenty years after the restoration of the Bourbons in France, was the demand of the United States for indemnity for the spoliation committed on its commerce during the Napoleonic period. The first emperor of the French had issued a number of decrees, beginning with that of Berlin in 1806, under which property of

<sup>1</sup>Benns, F. Lee, *The American Struggle for the British West Indian Carrying-trade, 1815-1830*. Bloomington (Indiana), 1923.

citizens of the United States, valued at not less than seven million dollars, was confiscated. The American government had protested unsuccessfully against the sequestrations and destruction of the property of its citizens. Napoleon had made vague promises that the decrees would be repealed and an indemnity paid for the illegal acts of his government but nothing definite was accomplished before his overthrow.<sup>2</sup>

Albert Gallatin, who assumed the duties of minister to France in 1816, was instructed to seek an agreement with the restored Bourbons regarding these claims.<sup>3</sup> Although Gallatin realized that the financial condition of the French government would make it difficult to secure an adjustment,<sup>4</sup> he formally presented the demands of his government in a note dated November 9, 1816.<sup>5</sup> He had already told Duke de Richelieu, the foreign minister, that the "time and mode of payment . . . must be arranged on principles of mutual accommodation."<sup>6</sup> A few days after the presentation of the note, Gallatin was informed by Richelieu that while France was not willing to "reject absolutely and definitely our reclamations *in toto*; they could not at this time admit them." The Duke added that it had been decided "that a silent postponement of the subject was the least objectionable course, since having now made our demand for indemnity in an official manner, the question would be left entire for discussion at some more favorable time, after France was in some degree disentangled from her present difficulties."<sup>7</sup> Gallatin was willing to admit that the financial difficulties of France offered a justifiable excuse for delay in payment but he thought the claims ought to be acknowledged and a future settlement provided for.<sup>8</sup>

The indemnities levied upon France at the close of the Napoleonic wars by the allies were liquidated in 1818. This relieved the finances of the French state of a heavy burden and gave Gallatin another opportunity to present the American claims.<sup>9</sup> His notes were not answered and the American minister turned to the presentation of individual

<sup>2</sup>Adams, Henry, *History of the United States of America*. 9 vols., New York, 1889-1891. V and VI.

<sup>3</sup>Sec. of State to Gallatin, April 15, 1816; MS., Department of State, *Instructions*, VIII, pp. 42-45.

<sup>4</sup>Gallatin to Monroe, August 6, 1816; MS., Department of State, *Despatches from France*, XVII. Most of Gallatin's diplomatic correspondence of the period appears in *American State Papers. Foreign Relations*, V; The most complete printed source is Adams, Henry, editor, *The Writings of Albert Gallatin*. 3 vols., Philadelphia, 1879.

<sup>5</sup>Gallatin to Richelieu, November 9, 1816; MS., Department of State, *Despatches from France*, XVII.

<sup>6</sup>Gallatin to Monroe, September 12, 1816; *ibid.*

<sup>7</sup>Gallatin to Sec. of State, April 23, 1817; *ibid.*, XVIII.

<sup>8</sup>Gallatin to Richelieu, April 22, 1817; *ibid.*

<sup>9</sup>Gallatin to Richelieu, April 3, 1818; Gallatin to Adams, April 27, 1818; *ibid.*



claims of exceptional merit in the hope of obtaining some concession and for the purpose of keeping the question before the French ministry.<sup>10</sup> But the government of France was still pursuing the policy of "silent postponement" and allowed the notes to remain unanswered.<sup>11</sup>

A change of the political parties in control of the French government in 1822, gave Gallatin another opportunity to present the American claims.<sup>12</sup> The Viscount de Montmorency, who had succeeded to the foreign office, expressed some friendliness for the American demand but declined to consider it until after the commercial negotiations then in progress at Washington had been concluded.<sup>13</sup> Gallatin was vexed at this new excuse for delay,<sup>14</sup> but news soon came that a commercial treaty had been signed.<sup>15</sup> The American minister immediately sought to open negotiations on the claims question.<sup>16</sup> The French government offered to negotiate on condition that all questions in dispute between the two countries be included.<sup>17</sup> Gallatin was prepared to discuss all questions except that of the interpretation of the eighth article of the Louisiana treaty of cession.<sup>18</sup> The French were unwilling to negotiate without including this question.<sup>19</sup>

Gallatin saw this as another excuse to "postpone, if not defeat," the settlement of the claims.<sup>20</sup> The American minister, perceiving not "the least prospect of a settlement" of the claims, returned to the United States.<sup>21</sup> Before leaving Paris, Gallatin told the French foreign minister that if France wished to keep the friendship of the United States "her conduct must be changed."<sup>22</sup> James Brown, who succeeded Gallatin at Paris, endeavored to secure a recognition

<sup>10</sup>Adams to Gallatin, December 31, 1818; MS., Department of State, *Instructions*, VIII, p. 295.

<sup>11</sup>See the correspondence in *American State Papers, Foreign Relations*, V. p. 290ff.

<sup>12</sup>Gallatin to Adams, December 27, 1821; MS., Department of State, *Despatches from France*, XX.

<sup>13</sup>Montmorency to Gallatin, June 1, 1822; Gallatin to Adams, June 13, 1822; *ibid.*, XXI.

<sup>14</sup>Gallatin to Montmorency, June 13, 1822; *ibid.*

<sup>15</sup>Gallatin to Adams, July 29, 1822; *ibid.*

<sup>16</sup>Gallatin to Montmorency, August 17, 1822; *ibid.*

<sup>17</sup>Villele to Gallatin, November 6, 1822; *ibid.*

<sup>18</sup>Gallatin to Villele, November 12, 1822; *ibid.* The Louisiana treaty of cession of 1803 had provided that "in the future and forever . . . the ships of France shall be treated upon the footing of the most favoured nation" in the ports of the ceded territory. The United States contended that this clause merely granted to France the right to secure any concessions extended to foreign powers upon the same basis that the other nations received them. France contended that the clause should be interpreted in an unconditional manner.

<sup>19</sup>Villele to Gallatin, November 15, 1822; *ibid.*

<sup>20</sup>Gallatin to Adams, November 13, 1822; *ibid.*

<sup>21</sup>Gallatin to Adams, February 28, 1823; Adams, editor, *op. cit.*, II, p. 267.

<sup>22</sup>Gallatin, Count, editor, *The Diary of James Gallatin, Secretary to Albert Gallatin, a Great Peace Maker, 1813-1817. With an introduction by Viscount Bryce.* New York, 1916, p. 191.

of the claims but met with no greater success than his predecessor.<sup>23</sup>

When John Quincy Adams took over the presidency, Henry Clay, the secretary of state, urged that he adopt strong measures in his dealing with France. Clay thought that Adams should recommend to Congress the "issuing of letters of marque and reprisals," or if he was not willing to go so far, to intimate to Congress that such steps would be advisable if France should continue to disregard the protests of the American minister. Adams had first written in his message that the United States would in no event "resort to force to obtain indemnity."<sup>24</sup> In consideration of the advice of the secretary of state, he changed this to read that the claims would not be "forgotten while a hope may be indulged of obtaining justice by means within the constitutional power of the Executive and without resorting to those means of self-redress which, as well as the time, circumstances, and occasion which may require them, are within the exclusive competency of the Legislature."<sup>25</sup> The program of the administration was not one to cause France to change its policy.

One of the weaknesses of the American case was the lack of any strong national feeling on the subject. Gallatin had urged that a favorable public sentiment be aroused.<sup>26</sup> Several mass meetings were held at which resolutions were adopted urging that more vigorous measures be taken in the prosecution of the claims.<sup>27</sup> The *Richmond Whig* urged a "resort to hostilities—to obtain that justice which has for so long a period been denied to us."<sup>28</sup> Congressional committees charged with a consideration of the problem offered resolutions urging a continuance of diplomatic efforts but hinted that other means might have to be resorted to if these should finally fail.<sup>29</sup> The interest of the public in the affair became more pronounced with the inauguration of Andrew Jackson.<sup>30</sup>

<sup>23</sup>Chateaubriand to Brown, May 7, 1824; MS., Department of State, *Despatches from France*, XXII.

<sup>24</sup>Adams, Charles Francis, editor, *Memoirs of John Quincy Adams, Comprising Portions of His Diary from 1795 to 1848*. 12 vols., Philadelphia, 1877, VII, p. 55 (November 19, 1825); pp. 59-61 (November 23, 1825).

<sup>25</sup>Adams to Congress, December 6, 1825; Richardson, James D., *A Compilation of the Messages and Papers of the Presidents, 1789-1902*. 10 vols., Washington, 1902, II, p. 299ff.

<sup>26</sup>Gallatin to Chandler Price, February 11, 1824; Adams, editor, *op. cit.*, II, pp. 275-282.

<sup>27</sup>*Intelligencer*, January 10, 1825; *Ibid.*, January 27, 1826.

<sup>28</sup>*Richmond Whig*, quoted in *Niles Register*, XXIX, p. 133 (October 29, 1825).

<sup>29</sup>Committee on Foreign Relations to Senate, February 12, 1827; Committee on Foreign Affairs to House of Representatives, February 23, 1827; *American State Papers, Foreign Relations*, VI, pp. 613-614.

<sup>30</sup>*Niles Register*, XXXVI, p. 162 (May 9, 1829); *Intelligencer*, April 29, 1829, May 6, 1829, and June 19, 1829; *Van Buren Papers*, May 4, 1829 ff., Library of Congress.

The Jackson administration was prepared to face facts and adopt in its dealings with France a conciliatory attitude. This was evident in the fact that the minister, William Cabell Rives, was given permission to open a negotiation "embracing all matters in difference between the two countries." Rives was to present a "full, frank and energetic exposition" of the rights and injuries of his country but he was not to commit the United States to a policy of force.<sup>31</sup> The fact that the new president was prepared to use more forceful methods in his dealings with foreign countries, should they become necessary, appears in his first message to Congress. Jackson assured the Legislature that it was his settled purpose "to ask nothing that is not clearly right and to submit to nothing that is wrong. . . ." The executive then referred to the unsettled claims against France and declared that they "must . . . continue to furnish a subject of unpleasant discussion and possible collision between the two Governments."<sup>32</sup>

Rives had already opened the negotiations with Prince de Polignac, minister of foreign affairs, when the presidential message arrived in Paris. The American minister had found it difficult to make any progress, as the prince offered many excuses for delay.<sup>33</sup> The presidential message conveyed to the French minister an "intimation under which it was not very pleasant to act." The prince was mollified by Rives' explanation that the message was merely a communication from one branch of the American government to another and not for the purpose of holding a menace over the head "of a foreign power."<sup>34</sup> The first real progress in the negotiations was made during an interview on January 11, 1830. In this conversation, Polignac declined to recognize the liability of France for all of the claims which Rives presented.<sup>35</sup> Several conversations followed between the representatives of the two governments in the following weeks which brought them to the point where Polignac could promise to send Rives a "note embracing his propositions to the extent, at least, to which we were agreed."<sup>36</sup>

The question of the interpretation of the eighth article of the Louisiana treaty of cession had not entered the negotiation since the arrival of Rives. Polignac now brought this question forward and for a short time it seemed as if

<sup>31</sup>Van Buren to Rives, July 20, 1829; MS., Department of State, *Instructions*, XIV, pp. 11-42.

<sup>32</sup>Jackson to Congress, December 8, 1829; Richardson, *op. cit.*, II, pp. 443-444.

<sup>33</sup>Rives to Van Buren, November 7, 19, December 17, 1829; MS., Department of State, *Despatches from France*, XXIV.

<sup>34</sup>Rives to Van Buren, February 16, 1830; *ibid.*

<sup>35</sup>Rives to Van Buren, January 16, 1830; *ibid.*

<sup>36</sup>Rives to Van Buren, February 16, 1830; *ibid.*

it would disrupt the negotiations.<sup>37</sup> Rives, understanding that the success of his efforts depended upon satisfying France on this question, determined to offer that country lower tariff duties on its wines as an inducement to relinquish this claim.<sup>38</sup> This proposal was received favorably by the French government and kept the negotiation open.<sup>39</sup> Before any further progress could be made the July Revolution of 1830 overturned the existing French regime.

The news of the revolution was received with acclaim in the United States. In the leading cities the "glorious event" was celebrated in a fitting manner.<sup>40</sup> The citizens of the country did not forget the effect it would have on the claims negotiations. The press assured the public that the new French government would provide for a settlement of the question.<sup>41</sup> Rives warned the secretary of state that there was no basis for the expectations which the American public had manifested. The minister thought that the obstacles to be surmounted in the negotiations with the government of Louis Phillipe were even greater than those which were faced under the Bourbon regime.<sup>42</sup> Rives wrote a private letter to Van Buren in which he stated that the "justice of our claims" had been acknowledged by the French government, but that this motive was far too weak to effect their payment. He suggested that the president continue to treat them as a national problem in his message to Congress, emphasizing the fact that the continuance of amicable relations between the two countries depended upon their adjustment.<sup>43</sup> These suggestions were followed in the message of 1830 to Congress.<sup>44</sup>

The first conferences which Rives had with the ministers of Louis Phillipe on the subject of the claims were not satisfactory. The question had been referred to a commission which had made little progress in reaching a decision.<sup>45</sup> The arrival of the president's message in Paris aroused the king's interest in the affair and he urged his ministers to take early action on the matter.<sup>46</sup> On March 28, 1831, the commission submitted a partial report to the foreign min-

<sup>37</sup>Polignac to Rives, March 19, 23, 1830; Rives to Polignac, March 20, 23, 26, 27, 1830; *ibid.*

<sup>38</sup>Rives to Van Buren, April 6, May 18, 1830; *ibid.*

<sup>39</sup>Polignac to Rives, May 31, 1830; Rives to Polignac, June 2, 1830; *ibid.*

<sup>40</sup>*Intelligencer*, October 28, 1830.

<sup>41</sup>*The United States Telegraph*, October 7, 1830; *Niles Register*, XXXIX, p. 106 (October 9, 1830).

<sup>42</sup>Rives to Van Buren, August 8, 1830; *ibid.*

<sup>43</sup>Rives to Van Buren, September 18, 1830; *Van Buren Papers*, Library of Congress.

<sup>44</sup>Jackson to Congress, December 6, 1830; Richardson, *op. cit.*, II, p. 506.

<sup>45</sup>Rives to Van Buren, November 8, December 18, 1830; MS., Department of State, *Despatches from France*, XXV.

<sup>46</sup>Rives to Van Buren, January 18, 1831; *ibid.*

ister. The majority rejected a large part of the American claims, and fixed the total for which France was responsible at ten to fifteen millions of francs. The minority of the commission reported that France was liable for damages of about thirty millions of francs.<sup>47</sup> A month later the "spirit of liberality" of the French government was made manifest in an offer of fifteen millions of francs in settlement of the American claims.<sup>48</sup> This sum was rejected by the American minister as a "mockery, and equivalent to an absolute refusal of justice." A month of bargaining finally raised the French offer to twenty-five millions of francs, which was accepted by Rives.<sup>49</sup>

The abandonment of French claims under the Louisiana treaty was secured by granting lower tariff duties for a period of ten years on the wines imported from that country. In satisfaction of miscellaneous claims of French citizens against the United States, including those of the heirs of Beaumarchais,<sup>50</sup> one million five hundred thousand francs was to be deducted from the total sum promised to the American government. The payments to the United States were to be in six annual installments, the first of which was due one year after the exchange of ratifications. The treaty was signed on July 4, 1831.<sup>51</sup>

There were few expressions of opinion in the French press regarding the treaty. The merchants looked upon it as drawing the commercial ties of the two countries closer.<sup>52</sup> The political opposition denounced the agreement as a "most scandalous dissipation" of public funds.<sup>53</sup> In the United States the press, without distinction as to party, approved the treaty.<sup>54</sup> The senate gave its unanimous consent to its ratification,<sup>55</sup> and Congress passed the necessary legislation authorizing the promised reduction of tariff duties on French wines.<sup>56</sup>

The first payment under the terms of the treaty was due on February 2, 1833. Political conditions in France were

<sup>47</sup>Rives to Van Buren, March 30, 1831; *ibid.*

<sup>48</sup>Rives to Van Buren, April 28, 1831; *ibid.*

<sup>49</sup>Rives to Van Buren, June 14, 1831; *ibid.*

<sup>50</sup>Caron Beaumarchais, as a financial agent of the United States in Paris during the revolution, handled large sums of money for the republic. At the close of the struggle he presented his bills to Congress, but there was one item of one million livres for which no vouchers could be produced. Beaumarchais claimed that this sum had been used for secret political purposes. Congress refused to authorize payment of this item and it had continued as an unsettled problem in the relations of the two countries.

<sup>51</sup>Malloy, William M., comp., *Treaties, Conventions, International Acts, Protocols, and Agreements Between the United States of America and Other Powers, 1776-1909*. 2 vols., Washington, 1910, pp. 523-526.

<sup>52</sup>*Journal du Havre*, quoted in *Galignani's Messenger* (Paris), July 8, 1831.

<sup>53</sup>*La Tribune* (Paris), July 16(?), 1831; clipping enclosed in Rives to Livingston, October 29, 1831; MS., Department of State, *Despatches from France*, XXV.

<sup>54</sup>*The Globe*, September 9, 1831.

<sup>55</sup>*Senate Journal*, 22 Cong., 1 sess. (Serial 211).

<sup>56</sup>United States, *Statutes at Large*, IV, 574.

such that the ministry had not asked the necessary appropriations by the chambers. As the United States government had received no request for postponement or explanations of the cause of delay, Jackson authorized the secretary of the treasury to draw a draft on the French minister of finance for the sum due.<sup>57</sup> The United States bank, acting as the agent of the government, presented the draft to the French government in March, 1833. The minister of finance refused to pay it because of lack of funds and the foreign minister expressed his surprise at the adoption of such a method of requesting payment.<sup>58</sup> The anger of Jackson at the refusal of the French government to meet its obligations was not decreased by the fact that the United States bank charged the government fifteen per cent damages on the protested draft. The American press was unanimous in its condemnation of the French action.<sup>59</sup>

Rives had returned home in 1832 and the French post had remained in the hands of the *chargé d'affaires*. Jackson now determined to send his secretary of state, Edward Livingston, to France, to demand "the fullest execution" of the treaty.<sup>60</sup> As a result of the representations of Livingston, a bill providing the funds to meet the payments under the treaty was introduced into the chamber of deputies in March and debated the latter part of the month. The vote was taken on April 2, 1834, and resulted in the defeat of the measure by a majority of eight votes.<sup>61</sup> The defeat of the bill came as a surprise to the king's government and apparently even to those members who had voted against it. The action of the chamber was followed by a reorganization of the cabinet and lengthy sessions of king and council for the purpose of considering the future policy of the state.<sup>62</sup> Livingston was informed that a "fast-sailing" corvette would be sent out with instructions to the French minister at Washington to make the necessary explanations.<sup>63</sup>

Jackson received the news of the defeat of the measure from Livingston a month before the "fast-sailing" corvette

<sup>57</sup>Livingston to Niles, February 8, 1833; MS., Department of State, *Instructions, France*, XIV, pp. 111-112.

<sup>58</sup>Niles to Livingston, February 22, March 23, 1833; Broglie to Niles, March 26, 1833; MS., Department of State, *Despatches from France*, XXVII.

<sup>59</sup>*The Globe*, May 9, 1833; *Intelligencer*, May 2, June 11, 1833.

<sup>60</sup>Jackson to Van Buren, July 30, 1833, *Van Buren Papers*, Library of Congress; *Intelligencer*, May 31, 1833; McLane to Livingston, June 3, 1833; MS., Department of State, *Instructions, France*, XIV, pp. 123-133.

<sup>61</sup>Livingston to Broglie, October 5, 1833; March 7, 1834; *Register of Debates*, XI, app., pp. 124, 130.

<sup>62</sup>Duke de Broglie to Prince de Talleyrand, April 6, 1834; *Memoirs of the Prince de Talleyrand*, ed. by Duc de Broglie, trans. by Mrs. Angus Hall. New York, 1892. V, pp. 231-233; Madame Adelaide d'Orleans to the Prince de Talleyrand, April 2, 1834; *ibid.*, p. 229.

<sup>63</sup>Livingston to McLane, April 3, 1834; MS., Department of State, *Despatches from France*, XXVII.

brought Serurier's instructions. It is very probable that the vessel was delayed on its voyage because of the hopes of an adjournment of Congress before its arrival.<sup>64</sup> The explanations which Serurier gave were not satisfactory to the president. The French minister was informed that the executive would have to present the matter to Congress at the "opening of its next session" and that he hoped that the results of the promised second appeal to the chambers for the funds would be known by that time.<sup>65</sup>

At the time of the defeat of the bill by the French chamber, Livingston advised his government that the only way to secure the execution of the treaty was "to use the means we have of effecting it." He thought that some form of commercial restrictions should be adopted.<sup>66</sup> Two months later he reported that he was more "than ever convinced that if some energetic measures are not taken, we shall run great risk" of losing our claims.<sup>67</sup> Jackson was not the man to refrain from the adoption of energetic measures and he was not likely to give France more time than was absolutely necessary to redeem its promise of a second appeal to the chambers. Livingston was instructed to inform the French government that the president desired to know the results of the appeal to the chambers before sending his annual message of 1834 to Congress.<sup>68</sup> Livingston was soon convinced that no action was contemplated at a date earlier than January or February, 1835.<sup>69</sup> A few days before the message was to be sent to Congress, Serurier called at the state department to ascertain the intention of the president in the matter. He was informed that the purpose of Jackson to transmit to Congress complete information "remained unchanged." When Serurier suggested that such a policy might result in a collision, the secretary of state replied that the president must give "an account of his proceedings and of the state of this affair" to Congress.<sup>70</sup> The French minister advised his government in his last des-

<sup>64</sup>Livingston to Sec. of State, June 28, 1834; MS., Department of State, *Despatches from France*, XXVII.

<sup>65</sup>McLane to Serurier, June 27, 1834; MS., Department of State, *Notes to Foreign Legations*, V, pp. 233-234.

<sup>66</sup>Livingston to McLane, April 3, 1834; MS., Department of State, *Despatches from France*, XXVII. This despatch was received at the State Department, Washington, Nov. 24, 1834.

<sup>67</sup>Livingston to McLane, June 22, 1834; *ibid.*; Livingston to Jackson, June 23, 1834; *Jackson Papers*, Library of Congress.

<sup>68</sup>McLane to Livingston, June 27, 1834; MS., Department of State, *Instructions*, France, XIV, pp. 168-172.

<sup>69</sup>Livingston to Forsyth, October 13, 1834; MS., Department of State, *Despatches from France*, XXVII. (This despatch was received at the State Department, Washington, Nov. 24, 1834.)

<sup>70</sup>Serurier to de Rigny, October 22, November 20, 1834; *British and Foreign State Papers*, XXII, pp. 972-974.

patch before the convening of Congress that the presidential message would be "very painful."<sup>71</sup>

It is probable that in the preparation of the message, Van Buren and secretary of state, Forsyth, were consulted freely. There seems to be no doubt that the most important part of the message was the work of Jackson alone, and was not altogether approved by his advisers. This fact is substantiated by the following story:

"... On the question of demanding the five millions from France, he had been peremptory in his tone, and no council of Cabinet or friend could mitigate or temper his demand.

"On that subject he had himself dictated the very language he would employ in uttering a threat direct to Louis Phillipe. The Cabinet consulted to change the phraseology. Mr. Forsyth, then Secretary of State, was adroit in language, and wisely, he thought, changed the paragraph which the President had dictated. The change in words was but a shade different in meaning; but he sought to make the measure more diplomatic in terms and more conformable, of course, to peaceful and courteous national intercourse. It was in vain. When Mr. Andrew J. Donelson, the President's private secretary, brought to him the proof-sheets of the message, Mr. John C. Rives, of the *Globe*, was present.

"Mr. Donelson read, whilst the general walked the room, pipe in his mouth, smoking, and the printer the only attendant. All was quietly listened to until the reader came to the passage relating to the five millions debt due by France. Mr. Donelson was evidently desirous so to read the paragraph on that subject as to avoid notice of the change in words which had been made. General Jackson at once paused in his walk, stopped, and said, 'Read that again, sir.' Mr. Donelson then read the passage distinctly, and General Jackson was instantly roused, saying, 'That, sir, is not my language; it has been changed, and I will have no other expression of my own meaning than my own words.'

"He immediately and vehemently had the change erased and his own language, even more strongly importing a threat, inserted, heard the message read through, and then placed it in the hands of Mr. Rives, forbidding him to let it be seen in his hands, or to let it pass out of his hands, until after it was printed as corrected and until permission was granted by him, 'at his peril.'<sup>72</sup>

Congress was given an authentic account of the controversy between the two states. The president then said that if Congress doubted whether it be "the intention of the French Government, in all its branches, to carry the treaty into effect, and think such measures as the occasion may be deemed to call for should be now adopted, the important question arises what those measures shall be." Jackson

<sup>71</sup>Serurier to de Rigny, November 29, 1834; *ibid.*, p. 974.

<sup>72</sup>Wise, Henry A., *Seven Decades of the Union. The Humanities and Materialism, Illustrated by a Memoir of John Tyler, with Reminiscences of Some of His Great Contemporaries. The Transition State of this Nation—Its Dangers and Their Remedy.* Philadelphia, 1872. pp. 145-146. (This story also appears with minor variations in Poore, Ben Perley, *Perley's Reminiscences of Sixty Years in the National Metropolis.* 2 vols., Tecumseh (Mich.), 1886 (?). I, pp. 112-113; and Parton, James, *Life of Andrew Jackson.* 3 vols., New York, 1860. III, p. 568.



proposed several alternatives but he considered the least objectionable a law "authorizing reprisals upon French property in case provision shall not be made for the payment by the French Chambers." The president added that such a "measure ought not to be considered by France a menace. Her pride and power are too well known to expect anything from her fears and preclude the necessity of a declaration that nothing partaking of the character of intimidation is intended by us."<sup>73</sup>

The message had been awaited with eagerness by the public, for it was generally known that Jackson was going to discuss the action of France in failing to comply with its treaty obligations. There seems to have been no anticipation that the president would recommend the adoption of such strong measures. The *Intelligencer* thought that the "tone of intimidation and menace used by the chief magistrate" was the personal opinion of the individual and not of the nation.<sup>74</sup> This opinion was supported by very few other journals, most of which considered that the action of France justified reprisals.<sup>75</sup> Jackson had effectually transformed a question that was of little more than local interest into one in which national honor was involved.

The political opponents of the president in the senate were willing to take advantage of any opportunity to prove him unworthy of his position. Under the leadership of Henry Clay, who, as secretary of state, had failed to secure the adoption of a similar program by Adams in 1825, the senate adopted a resolution stating that it was "inexpedient at present to adopt any legislative measure in regard to the state of affairs between the United States and France."<sup>76</sup> While this resolution gave proof that the temper of the senate was pacific, it is certain that it would not have received a unanimous vote if Jackson had opposed its passage. The president was evidently willing to await the effect of his message on France before advocating further action.

The contents of the presidential message were not known in Paris until January 8, 1835. Livingston declared that the recommendations of the president had created the "greatest sensation." The minister advised the secretary of state that "the excitement is at present very great; that their pride is deeply wounded by what they call an attempt to coerce them by threats to the payment of a sum which

<sup>73</sup>Jackson to Congress, December 1, 1834; Richardson, *op. cit.*, III, pp. 100-107.

<sup>74</sup>*Intelligencer*, December 4, 6, 1834.

<sup>75</sup>*The Globe*, December 5, 1834.

<sup>76</sup>Compilation of Reports of Committee on Foreign Relations, *Senate Documents*, 56th Congress, 2d sess., doc. No. 231 (Serial 4052). pp. 47-68.

they declare is not due."<sup>77</sup> The Parisian press denounced the document as a "proclamation of undue violence" and demanded that "national honor" be protected.<sup>78</sup> Serurier had informed his government that the expression of opinion in the annual message was the personal one of the president and that he would not be supported by the public.<sup>79</sup> The French minister of foreign affairs informed Livingston that "wounded" though they were by the groundless "imputations" of the president's message, they had determined to ask the chambers for the necessary appropriations to carry the treaty into effect. Livingston was also advised that his majesty considered it due to his own dignity "no longer to have his minister exposed to hear language so offensive to France."<sup>80</sup>

A bill authorizing the payment to the United States of the sums stipulated by the treaty was presented to the chamber of deputies on January 15. The bill received the support of the commercial and manufacturing classes of France, but those groups which were opposed to the Orleans monarchy availed themselves of the opportunity to make a bitter attack on the government.<sup>81</sup> In order to assure the passage of the bill the government accepted an amendment, offered by Deputy Valazé, which required that satisfactory explanations be made to the French government of the presidential message of 1834 before any payment was made to the United States. With this amendment the bill was passed.<sup>82</sup>

The American minister appreciated the obstacles to a final settlement which such a demand would raise. In order to prevent if possible the passage of the amendment, Livingston addressed a note to the foreign minister on January 29, 1835, making some explanations which he thought could be properly given at that time. The principal theme of the note was that the communication at which offense was taken was between branches of the American government and therefore could not be called into question by the French government. The attention of the foreign minister was

<sup>77</sup>Livingston to Forsyth, January 11, 1835; MS., Department of State, *Despatches from France*, XXVII.

<sup>78</sup>Galignani's *Messenger*, January 10, 1835.

<sup>79</sup>Serurier to de Rigny, December 5, 1834; *British and Foreign State Papers*, XXII, p. 982.

<sup>80</sup>De Rigny to Livingston, January 13, 1835; MS., Department of State, *Despatches from France*, XXVII.

<sup>81</sup>Galignani's *Messenger*, January 14, 1835; *Paris Times* quoted in *The Globe*, February 21, 1835; *Le Constitutionnel* (Paris), February 6, 1835, quoted in *The Globe*, March 16, 1835; *Journal des Debats*, January 16, 1835, quoted in *Intelligencer*, February 24, 1835; *La Tribune* (Paris), quoted in *The Globe*, February 24, 1835; *London Morning Post*, January 16, 1835; *National* (Paris), quoted in *Intelligencer*, March 2, 1835.

<sup>82</sup>Galignani's *Messenger*, April 27, 1835.

also called to the fact that the president had "explicitly disavowed any intention of influencing it (France) by a menace."<sup>83</sup> When the contents of this note were known in Washington, they received the approval of the president. Upon express instructions from his government Livingston communicated this fact to the foreign minister on April 25, 1835, just before taking his leave from France.<sup>84</sup>

In the United States the recall of the French minister was spoken of as "unwarrantably offensive" and adding "insult to injury."<sup>85</sup> In the closing days of Congress an attempt was made to secure the passage of a bill appropriating three million dollars to be expended at the discretion of the president in strengthening the defenses of the country. Although the bill passed the house of representatives by a considerable majority, senatorial opponents of the administration succeeded in bringing about its defeat in the legislative jam at the end of the session.<sup>86</sup>

The demand of France for an apology for the presidential message was rejected by the press of all parties in the United States.<sup>87</sup> Livingston arrived in New York shortly after news of the passage of the bill with the Valazè amendment reached the United States.<sup>88</sup> The enthusiastic reception given the minister on his arrival and the celebrations in his honor in several cities,<sup>89</sup> indicated that the policy of the administration was receiving enthusiastic support in the country.

The French government had no desire to bring on a war with the United States over this question. A conflict would almost certainly have resulted in the overthrow of the Orleans monarchy and probably would have brought on a general European conflict. In order to meet the requirements of the law the French ministers determined to attempt to persuade the president to insert some sentence in his annual message of 1835 that could be accepted as offering the satisfaction demanded. If they failed to accomplish this they proposed to await the inauguration of Jackson's successor who they hoped would be of a more conciliatory disposition.<sup>90</sup>

In order to secure an explanation in the presidential mes-

<sup>83</sup>Livingston to de Rigny, January 29, 1835; MS., Department of State, *Despatches from France*, XXVII.

<sup>84</sup>Livingston to de Broglie, April 25, 1835; *ibid.*

<sup>85</sup>Rives to Niles, February 28, 1835; *Nathaniel Niles Papers*, Library of Congress.

<sup>86</sup>*Intelligencer*, March 5, 6, 1835; *The Globe*, March 18, 1835.

<sup>87</sup>*Intelligencer*, May 29, 1835; *The Globe*, May 29, 1835.

<sup>88</sup>Hunt, Charles Havens, *Life of Edward Livingston*. New York, 1864; pp. 415-416.

<sup>89</sup>*The Globe*, July 10, 1835; *New York American*, July 17, 1835.

<sup>90</sup>Barton to Forsyth, August 23, 1835; MS., Department of State, *Despatches from France*, XXVII; Palmerston to Vaughan, June 27, 1835, No. F. O. 5, volume 299; *Photostat*, Library of Congress; George W. Erving (Havre) to Jackson, September 25, 1835; *Jackson Papers*, Library of Congress.

sage, Duke de Broglie, who had returned to the foreign office, despatched a note on June 17, 1835, to M. Pageot, French *chargé d'affaires* in Washington explaining the position of his government.<sup>91</sup> The secretary of state, Forsyth, acknowledged the moderation of the French note but replied that the president and people of the United States were resolved to make no further concession.<sup>92</sup> Forsyth refused to accept a copy of this note, apparently fearing that its moderation would weaken the position of the administration should the contents become public.<sup>93</sup> De Broglie had also told the English ambassador at Paris that a sentence in the presidential message might be accepted as satisfying the Valazé amendment. Lord Granville reported this fact to Palmerston, who instructed Charles Bankhead, British *chargé d'affaires* at Washington, to transmit the suggestion to the secretary of state with the information of where it originated.<sup>94</sup> Forsyth offered little encouragement to Bankhead for the adoption of this program.<sup>95</sup>

The message that was sent to Congress was the work of Jackson, Van Buren, Livingston and Forsyth. Again a rather lengthy account of the controversy was given. When the president referred to the message of 1834 he stated that the "conception that it was my intention to menace or insult the Government of France is as unfounded as the attempt to extort from the fears of that nation what her sense of justice may deny would be vain and ridiculous." Jackson told Congress that he had given his approval to the explanations which Livingston had given to the French government in his notes of January 29 and April 25, 1835. These explanations he considered sufficient. This part of the message ended with an assertion that "the honor of my country shall never be stained by an apology from me for the statement of a truth and the performance of a duty."<sup>96</sup>

The replies which had been made to the French overtures for a peaceable adjustment of the controversy had not been satisfactory. In France the government had felt that it was necessary to make such military and naval preparations as were deemed essential in the event of hostili-

<sup>91</sup>A copy of this note is printed in the *Intelligencer*, January 22, 1836.

<sup>92</sup>Vaughan to Palmerston, September 12, 1835, No. 52, F. O. 5, volume 301; *Photostat*, Library of Congress.

<sup>93</sup>Pageot to Forsyth, December 1, 1835; MS., Department of State, *Notes from French Legation*, XI; Forsyth to Pageot, December 3, 1835; MS., Department of State, *Notes to France*, VI, p. 8.

<sup>94</sup>Palmerston to Vaughan, June 27, 1835, No. F. O. 5, volume 299; *Photostat*, Library of Congress; Webster, C. K., "British Mediation Between France and the United States in 1834-1836," *English Historical Review*, XLII (1927), pp. 58-78.

<sup>95</sup>Vaughan to Palmerston, August 23, 1835, No. 48, F. O. 5, volume 301; *Photostat*, Library of Congress.

<sup>96</sup>Jackson to Congress, December 7, 1835; Richardson, *op. cit.*, III, pp. 152-160.

ties.<sup>97</sup> These expenditures would invite much criticism of the policy of the government by the chambers. A war with the United States would have offered an opportunity for the discontented elements in France to raise the standard of revolt against the Orleanist dynasty. It probably would also have been the occasion of a general European conflict. The reports which the French leaders received concerning the attitude of the United States government were not such as to inspire them with hopes of an early settlement of the controversy.<sup>98</sup> If the French cabinet had not feared some overt action by Jackson that would have forced it to resort to hostilities, a program of inaction until the inauguration of Jackson's successor would likely have been adopted.<sup>99</sup> Under the circumstances it was necessary to work out another policy.

The British government and public had shown a deep interest in the affair from its beginnings. Lord Palmerston, English foreign minister, had worked through Sir Charles Vaughan, his representative at Washington and Lord Granville, who held a similar place at Paris, to restore harmony between the states.<sup>100</sup> These efforts had met with little success. There were several reasons why England was averse to seeing a rupture between the two states. The interruption of the cotton supply, on which England was already so dependent for her prosperity;<sup>101</sup> and the fact that much of the insurance carried on French vessels had been underwritten by English companies<sup>102</sup> were undoubtedly motives that entered into the desires of the British to see peace maintained.

An even more powerful motive is to be found in the actions of Russia. English and Russian policy had steadily diverged after the Congress of Vienna, while that of England and France had drawn closer together. The Russian program had as its principal object the increase of its influence in the Near East at the expense of Turkey. England, with the protection of its rich Asiatic holdings in mind, steadily opposed this expansion and was willing to

<sup>97</sup>*Galignan's Messenger*, November 17, 23, December 8, 1835.

<sup>98</sup>Bankhead to Palmerston, October 29, 1835, No. 2, F. O. 5, Volume 301; and Bankhead to Palmerston, November 13, 1835, No. 10, F. O. 5, Volume 301; *Photostats*, Library of Congress.

<sup>99</sup>Barton to Forsyth, August 23, 1835; MS., Department of State, *Despatches from France*, XXVII.

<sup>100</sup>Palmerston to Vaughan, June 27, 1835, No. F. O. 5, volume 299; *Photostat*, Library of Congress.

<sup>101</sup>Reeve, Henry, editor, *The Greville Memoirs. A Journal of the Reigns of King George IV and King William IV.* 3 vols., London, 1874. III, pp. 322-323. (December 10, 11, 1835.)

<sup>102</sup>Vail to Forsyth, December 14, 1835; MS., Department of State, *Despatches from England*, XLIII.

risk a war to gain its ends if necessary.<sup>103</sup> Czar Nicholas I of Russia delivered, in the fall of 1835, an address at Warsaw in which he made it clearly evident that he was contemplating extending Russian holdings in the Near East. This address was printed in the Paris and London papers about the middle of November.<sup>104</sup> The press of both capitals immediately began an attack on Russia.<sup>105</sup> The English press considered a war between Russia and England as a moral certainty. With this prospect facing the state and the consequent desire to have the hands of its ally free, the London newspapers did not hesitate to demand that their government offer to mediate in the controversy over the "piece of etiquette" between France and the United States.<sup>106</sup>

The English government was willing to undertake mediation in the dispute but only in case its intercession was asked for in "the most formal manner."<sup>107</sup> The French government desired English mediation but it was not disposed to make such a request, and no hopes were entertained that Jackson would ask the good offices of Britain. The Russian situation was so threatening that England asked of France, in December, an offensive and defensive alliance against the Czar. The French government saw in this request an opportunity to secure from England an offer of mediation in the American dispute without having to request it and without committing itself to the proposed alliance against Russia. The French replied to the British overture that the condition of their relations with the United States was such as to make it inadvisable to enter into any other engagements at the time.<sup>108</sup> Palmerston had received from Bankhead a note which stated that it was likely the "President's message would throw new difficulties in the way of a final settlement."<sup>109</sup> The English foreign minister determined to act before those new difficulties arose. He inquired of France whether British mediation would be accepted, and receiving an affirmative reply tendered the good offices of his government to help bring about a settlement of the dispute in notes sent out to the United States on December 21, and announced to the French government

<sup>103</sup>Ward, A. W., and Gooch, C. P., editors, *Cambridge History of British Foreign Policy*, 1783-1919. 3 vols.; London and New York, 1922-1923.

<sup>104</sup>*Galignani's Messenger*, November 16, 1835.

<sup>105</sup>*Ibid.*, November 23, 24, 30, 1835.

<sup>106</sup>*London Courier*, December 11, 1835, quoted in *Galignani's Messenger*, December 14, 1835.

<sup>107</sup>Palmerston to Vaughan, June 27, 1835, No. F. O. 5, volume 299; *Photostat*, Library of Congress.

<sup>108</sup>(Eurydice, Sophie [Matheron]), *Mémoires de Madame Dosne, L'Egerie de M. Thiers*. 2 vols., Paris, 1928. I, pp. 80-85.

<sup>109</sup>Bankhead to Palmerston, November 13, 1835; No. 10, F. O. 5, volume 301; *Photostat*, Library of Congress.

on December 25.<sup>110</sup> The offer was promptly accepted by France.<sup>111</sup>

The arrival of the presidential message of December, 1835, was awaited with anxiety in Europe.<sup>111a</sup> It arrived in the British capital on December 29 and occupied a very prominent place in the English newspapers during the next three days. The tone of the document on which "the peace of the two worlds" was supposed to hang, was regarded as "firm but peaceable."<sup>112</sup> The comments of the French press were friendly to the acceptance of the message as offering satisfaction for the injury done in that of 1834.<sup>113</sup> The French cabinet adopted this viewpoint, which had already been taken by Lord Palmerston, and authorized the English government to inform the United States that "... the offensive terms in the Message of 1834 being satisfactorily done away with by the language of that of 1835, the King in Council, considering French honor satisfied, had resolved that the execution of the treaty of 1831 should no longer be delayed."<sup>114</sup>

After the delivery of the presidential message of 1835 the American public awaited with interest future developments. No action was expected until the arrival of Barton, the *chargé d'affaires* at Paris, who had been ordered to ascertain the final decision of the French government and return home if the money was not paid.<sup>115</sup> Barton arrived in Washington on January 14, 1836, and immediately reported to the president. The account which Barton gave of the interview with the president illustrates Jackson's viewpoint of the controversy.

"... On the way thither they (Livingston and Barton) were joined by Mr. Van Buren and Mr. Forsyth, both of whom were embarrassed and anxious beyond their power to conceal.

'Well, sir,' asked the Secretary of State, 'what are you going to tell the President?'

'I am going to tell him the whole truth, as I understand it,' replied Mr. Barton.

The *Chargé* perceived a certain constraint and agitation in the group. He stopped near the steps of the White House, and asked,

'Gentlemen, do you want oil poured upon the flames, or water?'

'Oh, water, by all means!' exclaimed the company in chorus.

'That,' said Mr. Barton, 'will be the effect of the little that I have to say.'

<sup>110</sup>Palmerston to Bankhead, December 21, 1835, Nos. 6, 7, 8, 9, 10, and 11, F. O. 5, Volume 299; *Photostats*, Library of Congress; Vail to Forsyth, December 30, 1835; MS., Department of State, *Despatches from England*, XLIII.

<sup>111</sup>Vail to Forsyth, January 6, 1836; *ibid.*

<sup>111a</sup>Vail to Forsyth, December 14, 1835; *ibid.*

<sup>112</sup>*Galvani's Messenger*, January 1, 2, 1836.

<sup>113</sup>*Ibid.*, January 1, 2, 3, 4, 1836.

<sup>114</sup>Vail to Forsyth, January 6, 1836; MS., Department of State, *Despatches from England*, XLIII.

<sup>115</sup>Forsyth to Barton, September 14, 1835; MS., Department of State, *Instructions, France* XIV, pp. 211-212.

They entered the Presidential sanctum and were soon joined by its irascible master.

'So, sir,' said the General to Mr. Barton, 'you have got here at last, have you!'

This seemed to the gentleman addressed an ominous beginning to an interview, a possible result of which was war with a powerful nation. He hastened to explain the causes of his detention—the negligence of a pilot and an extraordinary fall of snow. The President was mollified, and darted forthwith to the heart of the matter.

'Tell me, sir, do the French mean to pay that money?'

'General Jackson,' was the reply, 'I am sorry to inform you that they do not.'

The President rose from his chair, and, turning to the group of anxious officials, exclaimed,

'There, gentlemen! What have I told you, all along?'

He strode up and down the room several times in a state of extreme excitement. It was too evident to the gentlemen present that Mr. Barton's communication had not produced upon the President's mind the effect of water upon fire.

'What do they say about it, sir?' suddenly demanded the President. 'What excuse do they give?'

'General,' said Mr. Barton, 'I am exceedingly desirous to make you acquainted with the state of affairs in France, as far as I myself understand it; but to do this effectually I must beg to be allowed to tell my story in my own way.'

'Right sir,' said the President, seizing a chair and sitting down in it with emphasis. 'Go on, sir.'

'I verily believe, General,' began Mr. Barton, 'that down to a recent period, the French government was trifling with us.'

Up sprang the President, at these words.

'Do you hear that, gentlemen? *Trifling with us!* My very words. I have always said so.'

The President resumed his seat, and Mr. Barton his explanation.

'I mean by trifling with us, that they thought the treaty a matter of no great importance, and one which was not pressing, and would not be pressed by the United States. It could be attended to this year, or next year—it was of small consequence which.'

The *ex-Chargé* proceeded to say, that the popular opposition to the payment of the indemnity had risen to such a height in France, that any ministry that should pay it before the President had apologized would not only lose their places, but subject themselves to impeachment. There was no man in France who would dare to encounter the odium of attempting it. The king would endanger his throne if he should give it his sanction. France was in a kind of frenzy on the subject, and no considerations addressed to its reason or its prudence had the slightest weight. The king, the ministry, the capitalists, and all reflecting persons sincerely desired to avoid a collision with the United States, from which France could gain nothing that she desired to gain. But the people were mad; and no one could predict how far the government might be compelled to yield to their fury.'

This was the substance of Mr. Barton's communication to the President."<sup>116</sup>

Jackson desired to recommend extreme measures to Congress, but was dissuaded from taking that course by Living-

<sup>116</sup>Parton, *op. cit.*, III, pp. 574-576.



ston until the effect of the presidential message of 1835 on France could be ascertained.<sup>117</sup> A message which was delivered to Congress on January 18, 1836, was much less conciliatory than that of December, 1835.<sup>118</sup> This message would probably have made it more difficult to adjust the differences between the two countries if the message of December, 1835, had not been accepted by France as satisfying its demands.

On January 27, 1836, the formal offer of British mediation was made to the secretary of state.<sup>119</sup> The news of the acceptance by France of this offer arrived in the United States at about the same time.<sup>120</sup> The American government accepted the British offer of mediation on February 3, with the reservation that the right of the president to address recommendations to Congress was not subject to question by any foreign power and that no explanation or apology would be offered for such action.<sup>121</sup> Jackson informed Congress of the offer and acceptance of meditation with reservations and requested that the legislature await the results of mediation before taking any action.<sup>122</sup>

Within a week after British mediation had been announced, the newspapers carried the announcement that France had accepted the statements in the presidential message of 1835 as satisfying its demands for explanations, and that the money for the payments due was ready for the American agent.<sup>123</sup> This information was formally communicated to the secretary of state in a note on February 15 and one week later Jackson announced to Congress the termination of the difficulty.<sup>124</sup> A few details remained to be arranged before the resumption of diplomatic relations but the principal point in dispute was adjusted.

A study of the spoliation claims is interesting chiefly because of the light it throws on the development of American foreign policy. For the first twelve years of this period the foreign policy of the United States was directed by John Quincy Adams. The American claims were forcefully presented to the French government. That government, while willing to acknowledge the justness of the demands upon

<sup>117</sup>Livingston to Jackson, January 11, 1836; Hunt, *op. cit.*, pp. 428-429.

<sup>118</sup>Jackson to Congress, January 15, 1836; Richardson, *op. cit.*, III, pp. 188-193.

<sup>119</sup>Bankhead to Forsyth, January 27, 1836; MS., Department of State, *Great Britain, Notes to Department of State*, XVIII.

<sup>120</sup>Vail to Forsyth, December 30, 1835; MS., Department of State, *Despatches from England*, XLVIII; *Intelligencer*, February 13, 1836.

<sup>121</sup>Forsyth to Bankhead, February 3, 1836; MS., Department of State, *Notes to British Legation*, VI, pp. 42-48.

<sup>122</sup>Jackson to Congress, February 8, 1836; Richardson, *op. cit.*, III, pp. 213-214.

<sup>123</sup>*Intelligencer*, February 15, 1836.

<sup>124</sup>Bankhead to Forsyth, February 15, 1836; MS., Department of State, *Great Britain, Notes to Department of State*, XVIII; Jackson to Congress, February 22, 1836; Richardson, *op. cit.*, III, pp. 215-217.

it, offered one excuse after another for delay, so that the end of the Adams' period found the claims of the American citizens in an almost hopeless situation. While Adams was vexed by the excuses for delay with which the American demands were met, he never advised the use of force, nor would he threaten reprisals of any kind in an effort to secure more favorable treatment from the European country.

When Jackson came to the presidency a new note was sounded in American foreign policy. The United States minister was instructed to present a "full, frank and energetic" exposition of the American claims, but he was to be careful not to commit his country to a policy of force. The efforts of the minister met with little success until the arrival of the presidential message of 1829, in which Jackson asserted that the foreign policy of his administration would be determined by the principle of asking nothing that "is not clearly right and to submit to nothing that is wrong; . . ." Then, speaking specifically of the claims on France, the president stated that they "remained unsatisfied and must continue to furnish a subject of unpleasant discussion and possible collision between the two governments." These phrases conveyed "an intimation under which it was not very pleasant" for the French ministers to act, but within a few months the representatives of the two states were exchanging projects of a treaty. The culmination of the negotiations was prevented by the July revolution of 1830.

The negotiations were immediately reopened with the government of Louis Phillipe. Rives found that the new government was willing to acknowledge the justness of the American claims, but that "*a mere sense of justness is a motive far too weak*" to overcome the reluctance of the French government to pay claims of so large an amount. The president supplied a stronger motive when he asserted in the annual message of 1830 that the progressive development of "a firm and cordial friendship" depended upon the removal "of this old and vexatious subject of difference" between the two countries. This interested Louis Phillipe sufficiently to cause him to protest to his ministers against all unnecessary delay, and as a result the treaty was signed on July 4, 1831.

The failure of France to meet its obligations under the treaty aroused the anger of the president and when he became convinced that the principal motive for delay, on the part of that country, was to secure a revision of the treaty, he appealed to Congress for a law authorizing re-

prisals on French commerce. Jackson's most intimate advisers counseled against this step. That the president was not disposed to rush into a needless war was shown by the fact that he was willing that Congress adopt no legislative measures until the effects of the message on France were known. The French pride was wounded but the chambers provided the sums needed to meet its treaty obligations. An amendment was attached demanding explanations of the presidential message of 1834, which the Duke de Broglie insisted must be given in a formal manner. Jackson refused to make an apology, but inserted in the annual message of 1835 a statement which was accepted by France as offering sufficient explanations of the "offensive terms in the Message of 1834." That the president was willing to adopt extreme measures if they became necessary, is evident from the tone of his special message to Congress on January 18, 1836.

British mediation was offered largely because Palmerston desired the undivided support of France in whatever measures might be necessary in the Near East. The refusal of the United States to submit the principal point in dispute to mediation lessened the possibility of the successful outcome of English action had it been necessary.

The importance of the spoliation claims controversy has been well summarized by John Fiske in his essay on "Andrew Jackson, and American Democracy Seventy Years Ago." He says: "The effect of Jackson's attitude was not lost upon European governments, while at home the hurrahs for 'old hickory' were louder than ever. The days when foreign powers could safely insult us were evidently gone by."<sup>125</sup>

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<sup>125</sup> Fiske, John, *Historical Essays*. 2 vols., New York, 1902. I, p. 308.

## HUMAN GEOGRAPHY OF THE SOUTH\*

JAMES WELCH PATTON

Of the making of books on the South there is no end. Ubiquitous travelers' accounts, vindictive abolition propaganda, and a comprehensive defense of slavery made their appearance in the antebellum period. A generation after the Civil War the students of the late Professor William A. Dunning at Columbia University contributed their valuable and accurate accounts of the Reconstruction period in the various Southern states, succeeding so well that there has been little tendency on the part of later scholars to question their work. Of late the South has attracted the attention of sociologists, economists, climatologists, anthropogeographers, penologists, and other social scientists, as well as fictionists, poets, and journalists—"yellow" and otherwise. Naturally the works of such a diverse group vary greatly in length, form, perspective, motives, thoroughness, and accuracy; ranging all the way from a fictionized account of the Georgia chain gang to the carefully documented conclusions of scientific research workers.

To the latter type belongs Dr. Vance's book. A result of four years of arduous and painstaking research, assisted by the funds of the Laura Spellman Foundation for research in social science, it contains within its pages digests of hundreds of obscure monographs, government reports, bulletins, pamphlets, and statistics; and attempts "to apply the regional interpretation to that historical entity known as the American South."

Beginning with the conventional story of the expanding frontier, the author, unlike Windsor, Turner, and Paxson, gives to this movement an interpretation that is primarily sociological. For instance, LePlay's famous place-work-folk formula, which received its most brilliant American demonstration in Turner's account of the evolution of frontier society, has been modified by the suggestion of Professor Patrick Geddes that there is a sequential array of physiographic regions and characteristic modes of life, thus relating the distribution of culture to topography and making it three dimensional. This sequence of regions, ranging in the physiographic profile of an area as it slopes from its

\**Human Geography of the South; A Study in Regional Resources and Human Adequacy.* By Rupert B. Vance, Ph.D., Research Associate, Institute for Research in Social Science, University of North Carolina. (Chapel Hill: The University of North Carolina Press, 1932. Pp. xiv, 596.)

core, represented by the highlands, to the sea, is called by Geddes the *valley section*. Applying this concept to the topic under treatment it is found that "the South may be considered for the purpose of our analysis as consisting of three valley sections which come together at the apex of the Southern Appalachians, forming what we may call a trihedral angle." The development of this application results in an interesting chapter on the South's profile. Similarly, in the light of modern ethnological and demographic research, such factors as racial differences, population depletion in areas of early settlement, routes of travel, and migration are related to the frontier and its heritage.

Proceeding on the basis that the South is not one but many regions, a comprehensive description of each is given. The characteristic features of the various soil areas of the South, with their peculiar susceptibility to erosion and the consequent effects of this process upon the human geography of the region, are treated with substantial detail. The remedy for this baneful situation receives treatment in a chapter on Southern forests. After a lengthy survey of the history, organization, and potentialities of the turpentine, lumber and pulp wood industries in the South, the author alleges that the wasteful and exhaustive methods that characterize these industries are facilitated in large measure by the present taxation policies of Southern states in forcing lumber to pay a revenue as though it were an annual crop. The remedy suggested is a severance tax, levied only when the crop is harvested, and tree cropping; the latter "as a state policy would go far toward arriving at a solution of the dual problems of soil wastage and deforestation." The prediction is also made that "once a forest policy, private or public, is adopted, the natural advantages of the South will assure it a foremost place" since "no other area can match the region's climatic resources with the possibilities of multi-level forestry."

The most discouraging chapters in the book are those that deal with live stock and agriculture in the South. The drawbacks to the former industry are not the cruelty and inefficiency of the Negro population, as has frequently been alleged, but the prevalence of the cattle tick, the existence of inferior breeds of stock, and the lack of grass and forage. There is reason to believe that the use of dipping vats and the improvement of breeding methods may eliminate the first two obstacles, but it is frankly admitted by as reputable an authority as the United States Department of Agriculture that, except in the limestone regions of Kentucky, Tennessee, and Virginia, it is not probable "that any hay

grass possessing in the South an importance corresponding to timothy in the North will ever be discovered." The account of the cotton belt, drawn largely from the author's earlier work, *Human Factors in Cotton Culture*, depicts the frightful spectre of absentee ownership, prevalence of tenancy, impoverishment of the soil, unattractive rural environment, inadequate housing, inefficient methods of agriculture, isolation, dependence upon credit, backward community institutions, illiteracy, mobility, shiftlessness, and lack of thrift that pursues a farmer chained to a single crop that is food for neither man nor beast; that can be disposed of only in a market whose fluctuations and gyrations he can neither understand nor control; furnishes an excellent basis for the crop lien system; and in the end limits his diet to the deadly monotony of meat, meal, and molasses. Thus, in spite of certain notable exceptions in the trucking areas of the South, the more diversified regions of the Bluegrass, and the Texas cattle industry, the region remains not only an agricultural but a colonial economy, exhausting its wealth of soils and forests by continuous cropping to staples which, exported to another section for fabrication, must be bought back at a greatly increased cost, to meet which necessitates a further resort to cropping, and thus the continuous revolution of a vicious circle.

The rise of the Piedmont "Crescent of Industry" is described, and the importance of water power, iron and steel, textiles, cigarettes, rayon, and furniture in that region is recognized. Cheap labor is held to be the explanation of the remarkable Southern drift of industry, but doubt is expressed as to whether the methods of aggressive chamber-of-commerce campaigns for new industries—assuming in many cases the form of a subsidy to a new competitor in a field that is already over-crowded—have resulted in the most effective utilization of the potentialities of the region.

In, what is to the mind of this reviewer, the most interesting section of the book, the relation of climate, disease, and diet to human adequacy in the South is discussed. Casting aside the insinuating suggestion of John Fiske that the southern "poor whites" are descendants of indentured servants; the naive biology that has held southern languor and listlessness to be a result of original sin; and the pacifist propaganda of David Starr Jordan that imputes the South's lack of progress to the loss of its best population in Civil War battles, the author asserts that the high morbidity and mortality rates in the South are due to the prevalence of climatic diseases such as malaria and hookworm, and to a diet, poorly balanced and improperly adjusted to climatic

conditions, which predisposes malnutrition and pellagra. Especially vicious from this point of view is the South's heritage of food. An English population, bringing with them a great if unsatisfied fondness for meats, they found pork to be the most easily produced meat, and long residence on a corn-growing frontier, where bread to be palatable must be hot, gave rise to the traditional preference for hot breads and biscuits. Add to this the ubiquitous cane syrup, and there is the famous "meat, meal, and molasses" diet which is lacking in proteins and vitamins; and, in the opinion of the late Dr. Joseph Goldberger, is the primary cause of pellagra.

On the basis of the *Statistical Abstract*, the *World Almanac*, the latest census, and the numerous other works that make up his sixty-seven-page bibliography, Dr. Vance finds that "the statistical indices of wealth, education, cultural achievement, health, law and order reduced to a per capita basis combine to give the southern states the lowest rankings in the Union." With careful balance of perspective and admirable lack of bias, however, he avoids alike the dark pessimism of the Twelve Young Southerners, in their recent call for a return to antebellum agrarianism, and the buoyant optimism of Professor Edwin Mims in *The Advancing South*; and, finding the remedy neither in Neo-Confederacy nor Neo-Mercantilism, advocates regional planning as the first step in an integrated national economy.

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## JACKSON'S INFLUENCE ON INTERNAL IMPROVEMENTS

VICTOR L. ALBJERG

The Battle of New Orleans raised Andrew Jackson from state-wide reputation to national prominence. Utilizing this increased prestige, he so directed his activity during the following sixteen years as to add to his renown. Even though employed on the wings of the national stage, he somehow managed to dramatize himself as one of the headline actors. He preserved the limelight by publicizing his personality while at the same time he avoided commitments on controversial questions, and his views remained "matters of profound secrecy." On the tariff, the bank and internal improvements Jackson's views had not yet been formed in 1828, for he was a man of action rather than a theorist.

The General's predecessor in the presidency had established internal improvements as a definite system. In his first inaugural address John Quincy Adams had urged Congress to accomplish those works of internal improvements from which he was convinced ". . . unborn millions of our posterity who are in the future ages to people this continent, will derive their fervent gratitude to the founders of the union, that in which the beneficent action of the government will be most deeply felt and acknowledged."<sup>1</sup> He insisted that the roads and aqueducts of Rome had been the admiration of all ages and had survived thousands of years after all her conquests. Lest his fervent enthusiasm should arouse antagonism, for no president had yet sanctioned the constitutionality of internal improvements by the federal government, he avowed "that respectful deference was due to doubts originating in pure patriotism and sustained by venerated authority." While James Monroe had considered unconstitutional the use of powers not specifically granted, Adams declared that the exercise of powers ". . . is a duty as sacred and indispensable as the usurpation of powers not granted is criminal and odious."<sup>2</sup> In his first annual message to Congress he reaffirmed his enthusiasm for roads and canals and deplored Congressmen's folly of being palsied by the will of their constituents. With that conception of the

<sup>1</sup>James D. Richardson, *A Compilation of the Messages and Papers of the Presidents, 1789-1897* (Washington, 1899), II, p. 298.

<sup>2</sup>*Ibid.*



Constitution and his native ardor for internal improvements, combined with his appointment of Henry Clay, The Spokesman of the American System, as secretary of state, the gratitude of the unborn millions was assured.<sup>3</sup> Opposition to internal improvements was pretty well silenced.<sup>4</sup> Already in 1825 Senator Macon of North Carolina "rose with a heart full of emotion to say good-bye to an old friend whom he had always admird and loved: the Constitution of the United States," and Representative Smith of South Carolina deplored that "... a regard for the Constitution was a want of patriotism."<sup>5</sup> More money was appropriated and more land granted for every phase of internal improvements during Adams' four years of the presidency than had been voted during all the preceding administrations combined.

The advocate of internal improvements suffered no apprehension for the safety of their system upon the election of Jackson.<sup>6</sup> Yet, there were some who did not forget his letter of commendation to President Monroe upon his veto of the Tolls Bill.<sup>7</sup> On the other hand Jackson's record in the Senate from 1823 to 1825 was distinctly an endorsement of internal improvements, for during that period he had not voted against one internal improvement bill, but had given his support to seven bills appropriating money for most of the forms then employed by the federal government in aiding internal improvements.<sup>8</sup>

<sup>3</sup>*Ibid.*, pp. 316-317.

<sup>4</sup>*Congressional Debates*, 20 Cong., 1st Sess., p. 634.

<sup>5</sup>"In seems, indeed, to be understood that the policy of internal improvements has taken such an extensive and permanent hold upon the public will that the constructive authority of Congress to make them will not be relinquished. . . ." Madison to VanBuren, September 20, 1826, in *Writings of James Madison, Comprising His Public Papers and His Private Correspondence, including numerous Letters and Documents*, ed. by Stanilaus Murray Hamilton (7 volumes; New York, 1898-1903), IX, p. 255.

<sup>6</sup>*Congressional Debates*, 20 Congress, 1st Sess., p. 634.

<sup>7</sup>Martin VanBuren, *Autobiography of*; ed. by John C. Fitzpatrick (2 volumes, Washington, 1920), II, p. 314.

<sup>8</sup>"Your reasoning, I think, just and the conclusions well drawn and must be satisfactory to the nation. My opinion has always been that the federal government did not possess the constitutional right, that it was returned to the states." Jackson to Monroe, July 26, 1822. *The Correspondence of Andrew Jackson*, ed. by John Spencer Bassett (5 volumes, Washington, 1926), III, p. 171.

<sup>9</sup>Jackson's Internal Improvement Record in the Senate.

January 23, 1824, voted for a bill authorizing a road from Memphis to Little Rock Arkansas.

February 20, 1824, voted for a bill for laying out and making certain roads in territory of Florida.

May 1, "to procure necessary surveys of Roads and Canals." Its passage was opposed by nearly all strict constructionists.

May 19, 1824, a bill for improvement of Mississippi, Ohio, Missouri. Branch, Macon, King (strict constructionists opposed).

January 26, 1825, road in Missouri. (Strict constructionists opposed.) Branch, Hayne, King, Macon, Tazewell, etc.

February 24, 1825, voted to extend Cumberland Road to Zanesville. Opposed—Branch, Dickerson, Hayne, Tazewell, VanBuren.

February 24, 1825, voted to subscribe stock to Chesapeake and Delaware Canal Company (Benton, Branch, Hayne, King, Tazewell, VanBuren opposed).

*Niles Register*, Vol. XXXVIII, pp. 285-286.

Jackson's views on the subject of internal improvements were certainly not clearly defined when he assumed the duties of chief executive.<sup>9</sup> In his first inaugural address he touched on the issue in a non-committal vein, by saying that "internal improvements and the diffusion of knowledge, so far as they can be promoted by the Constitutional acts of the Federal Government, are of high importance."<sup>10</sup> Only little progress in clarification of his own mind is evident in his first annual message to Congress. In it he admitted that benefits were to be derived "by the improvement of inland navigation and the construction of highways in the several states." But he deprecated that many people had considered internal improvement legislation an infraction of the Constitution, while by others it had been viewed as inexpedient. The method of avoiding difficulties was by amending the Constitution. Such action would harmonize the desires of internal improvements enthusiasts with the fundamental law.<sup>11</sup> Until a Constitutional amendment could be arranged he preferred that internal improvements should be executed by the states, and to facilitate their efforts he urged the distribution of the surplus revenue among them in proportion to their representation in Congress.

In comparison with the emphatic announcement of Monroe in his inaugural address, Jackson's admonition was a mild caution. Monroe had overcome his constitutional scruples, and precedents had been established in the wide-open administration of Adams. Consequently no one was alarmed at the General's message. That Congress did not take seriously Jackson's objection to internal improvements is indicated in its reporting road, canal, river and harbor bills in the first session of his administration which amounted to more than \$104,000,000.<sup>12</sup> Such an ambitious design upon the treasury of "the people" must have strengthened Jackson's resolution to protect the interests of the country against a national scandal.

Yet, impetuous as he occasionally appeared, few could bide their time to better advantage than "Old Hickory"

<sup>9</sup>William MacDonal, *Jacksonian Democracy* (New York, 1906), p. 129.

<sup>10</sup>Richardson, II, 437.

<sup>11</sup>*Ibid.*, p. 452.

<sup>12</sup>*Lalor's Encyclopedia*, II, p. 570.

The works reported in 1831 were:

Number of projects under construction .....	51
Estimated cost of the above .....	\$ 3,732,658.56
Number of projects surveyed .....	55
Estimated cost of surveyed projects .....	49,311,082.15
Works projected .....	53
Estimated cost of works projected .....	51,200,000.00

\$104,243,740.71

*United States Engineers Report*, House Executive Document; 21 Congress, 2 Session, No. 20, Pt. 1, p. 11.

could. During the first session of Congress, while he was president, he approved bills appropriating \$215,000 for the extension of the Cumberland Road through Ohio into Indiana and Illinois<sup>13</sup> and an appropriation of \$56,000 for sundry roads in the West.<sup>14</sup> He also gave his signature to the granting of 29,528.78 acres of land to Indiana for the construction of the Wabash and Erie Canal,<sup>15</sup> besides allowing a bill for the survey of a road across Florida which measure carried with it an appropriation of \$10,400.00.<sup>16</sup> The biggest appropriation was the general river and harbor bill which embodied twenty-three items and carried an appropriation of \$188,825.66.<sup>17</sup> Thus far Jackson would go but no farther. He had approved subsidies for the Cumberland Road because the federal government was under a legal obligation to construct it due to its compacts with the states. He accepted the bills for highway appropriations on the ground that the roads either ran through territories or through land held by the national government, and their construction, therefore, could not violate state sovereignty.

A year's deliberation as chief executive on internal improvements had done much to clear up Jackson's own ideas on the subject. It had caused him definitely to question the constitutionality of internal improvements by Congress. Furthermore, the inevitable extravagance resulting, in his mind, from such large undertakings by the federal government was abominable to his sense of frontier frugality. He was eager to liquidate the national debt and to achieve that desirable object, there should be no excessive drains upon the treasury.<sup>18</sup> In order to arrest the orgy of appropriations for internal improvements Jackson and VanBuren agreed that the latter should watch the proceedings in Congress, and bring to the president's notice the first bill to which constitutional objection could effectively be raised and whose veto could be justified satisfactorily to the American people.<sup>19</sup> The "Magician" chose the bill authorizing a subscription to the stock of the Washington, Paris, and Lexington Turnpike and Road Company as satisfying the requirements for the legal battle.<sup>20</sup> A charter was granted for the Maysville Road by the Kentucky Assembly in 1817.<sup>21</sup> During the next ten years no legislative action was taken

<sup>13</sup>*Statutes at Large*, IV, p. 427.

<sup>14</sup>*Ibid.*

<sup>15</sup>*Ibid.*, p. 416.

<sup>16</sup>*Ibid.*, p. 427.

<sup>17</sup>*Ibid.*, p. 395.

<sup>18</sup>Andrew Jackson to Martin VanBuren, May 15, 1830; *Autobiography of VanBuren*, II, p. 322.

<sup>19</sup>*Ibid.*, p. 320.

<sup>20</sup>*Ibid.*

<sup>21</sup>Richard Collins, *History of Kentucky*, 2 volumes (Covington, 1874), II, p. 28.

in the Blue Grass State.<sup>22</sup> The bill made its first appearance in Congress in 1827<sup>23</sup> and was considered in various forms during the next three years without any success.<sup>24</sup> On April 28, 1830 Representative Letcher of the Committee on Internal Improvements proposed to lay aside the tariff and take up "some minor bill that would occupy but little time".<sup>25</sup> In a short speech he argued that the road would be a national improvement since it would connect the Cumberland Road with the highway system to Florence in Alabama.<sup>26</sup> The total stock to be subscribed was \$320,000. It was expected that the federal government would take \$100,000 and that the state was to take a like sum while private individuals would absorb the rest. Representative Foster of Georgia questioned whether the road was of a national character.<sup>27</sup> James K. Polk was more determined in his opposition to the bill than any one else. He insisted that the bill was a local measure, and the first concern of the government should be to pay the national debt.<sup>28</sup>

In spite of the opposition and Jackson's disapproval as voiced to the system in general in his annual message, the bill passed the House by a vote of 102 to 86.<sup>29</sup> No new arguments were levelled against it in the Senate and on May 15, 1830, it passed by a vote of 25 to 18.<sup>30</sup>

Jackson had been apprised of the progress of the Maysville Bill on his daily rides with Van Buren. The latter offered to submit the reasons why the bill should not pass which he had already prepared. The offer was accepted and no indications were revealed of the President's attitude toward the bill. Van Buren also suggested that a statement should be prepared which would show that the condition of the finances was such that if internal improvements appropriations were to continue as in the past the national debt would not be paid according to schedule.<sup>31</sup> This suggestion was also followed.

When the bill reached Jackson, he vetoed it. At this juncture he firmly maintained that all internal improvement works in which the federal government engaged

<sup>22</sup>*Journals of the Senate of Kentucky*, Session 1826, p. 14.

<sup>23</sup>*Congressional Debates*, 19 Congress, 2nd Session, p. 207.

<sup>24</sup>J. H. Battle, W. H. Perrin, and G. C. Kniffin, *Kentucky, A History of the State* (Louisville, 1886), p. 522; *Internal Improvements*, Executive Documents, 209, 20 Congress, 1 Session.

<sup>25</sup>*Debates*, 21 Congress, 1 Session, p. 820.

<sup>26</sup>*Debates*, 21 Congress, 1 Session, p. 820.

<sup>27</sup>*Ibid.*

<sup>28</sup>*Ibid.*, p. 833.

<sup>29</sup>*Ibid.*, p. 842.

<sup>30</sup>*Niles Register*, XXXVIII, p. 240.

<sup>31</sup>*Niles*, XXXXVIII, p. 218; Van Buren, *Autobiography*, II, pp. 320-5; John Spencer Bassett, *Life of Andrew Jackson* (New York, 1916), p. 487. Jackson's attention had been called to the bill before its final enactment and members of the Senate feared his veto. *Debates*, 21 Congress, 1 Session, p. 454.

should be "general, not local, national, not state."<sup>32</sup> The improvement provided for in the bill under consideration was local or, "if it can be considered national, then no further consideration between the appropriate duties of general and state governments can be attempted, for there can be no local interest that cannot with equal propriety be denominated national."<sup>33</sup> He insisted that it had no connection with any established system of improvements; that it was exclusively within the limits of one state, that it started at a point on the Ohio River and ran sixty miles to an interior town, and even as far as the state was concerned, it conferred partial instead of general advantages. To be national an improvement must be conducive to the benefit of the whole, and not local and operate only to the advantage of a portion of the Union. Nor did the clause in the Constitution empowering Congress to establish post roads authorize it to construct such roads. "To establish" only conferred powers to designate.<sup>34</sup> If the Constitution conferred deficient powers on Congress, that document provided for its own amendment and the intelligence and patriotism of the American people would exercise that function when the exigency demanded it. Expediency also was against the construction of local works of internal improvements. "It would result in log-rolling legislation. Congressmen would support each other's local bills which would greatly increase the appropriations and thereby impose added burdens of taxation on the people. Federal subscription in stock companies was injurious to the nation's dignity and the sovereignty of the separate states. In many cases it would merely resolve itself into a process of rescuing speculating companies and reckless banks from insolvency.<sup>35</sup> Under existing circumstances he proposed the distribution of the surplus revenue among the states for their disbursement."<sup>36</sup>

The Maysville Bill had been launched as a political move as well as an internal improvements measure. The Clay supporters had hoped to take advantage of any adverse action on it by Jackson. Two weeks before the passage of the bill Clay had written to Josiah Johnston, representative from Louisiana, expressing the hope that the Senate would pass it. "We shall then be able to know who our

<sup>32</sup>Richardson, II, p. 487.

<sup>33</sup>*Ibid.*

<sup>34</sup>Andrew Jackson, *Correspondence of*, "Notes on the Maysville Road Veto," Vol. IV, pp. 137-139. Internal improvement advocates reviewed Jackson's record in the Senate during 1823-1825, and accused him of gross inconsistency in his attitude toward internal improvements.

<sup>35</sup>*Ibid.*

<sup>36</sup>*Ibid.*

real friends are." Clay was soon afterwards nominated for the presidency, while Calhoun's following was swept away by Jackson's veto. The enemies of the latter then proceeded to destroy him as an important figure in the Democratic party.<sup>37</sup> Indeed, the Old Republicans were pleased with Jackson's action. At a dinner given in honor of John Randolph who was about to leave as ambassador to Russia, referring to the veto, the toast was proposed with unrestrained enthusiasm, "The rejection of the Maysville Road Bill, it falls upon the ears like the music of other days."<sup>38</sup> And Col. Hayne of South Carolina who had just assembled with the nullifiers in Charleston spoke of the veto as the most auspicious event which had taken place in the history of our country for years past.<sup>39</sup>

In vetoing the Maysville Road, General Jackson had sensed the public's growing indifference on the question of internal improvements more accurately than most of his contemporaries. He was confirmed in his conviction by John Quincy Adams' observations confided to his diary. Jackson, "to promote his election and to obtain western support had truckled to it (internal improvements) for a while and had now taken a decided stand against it,"<sup>40</sup> while, "Calhoun had turned his back upon it,"<sup>41</sup> and "Webster had silently given it up."<sup>42</sup> The tariff of 1828 was strenuously opposed by the South and any system that had any connection with it became also the object of that section's wrath. A real interest in railroads was also evinced to the injury of roads and canal construction. It is, therefore, likely that the system of government aid and direction to internal improvements would have decreased even if Jackson's thunder had not been directed against it. Yet, it is equally fair to allow the imagination to roam over the possibilities for internal improvements, should Clay have been elected president in 1828 instead of Jackson. The American System might then have become a reality rather than have remained a thesis.

Jackson confirmed the policy which he had defined in his famous veto message by preventing within a week the passage of another road bill on the same ground that he had held the Maysville project unconstitutional.<sup>43</sup> And in his second annual message he recapitulated his objections to

<sup>37</sup>Niles, XXXVIII, p. 218.

<sup>38</sup>Bassett, *The Life of Andrew Jackson*, p. 490.

<sup>39</sup>VanBuren, *Autobiography*, II, p. 326.

<sup>40</sup>John Quincy Adams, *Memoirs, Comprising Portions of His Diary from 1795 to 1848* (12 volumes, Philadelphia, 1874-1877), VIII, p. 233.

<sup>41</sup>*Ibid.*, p. 162.

<sup>42</sup>*Ibid.*

<sup>43</sup>Richardson, II, pp. 493-494.

internal improvements of a local nature and urged that the anticipated surplus revenue be distributed among the states in the ratio of their representation in Congress.<sup>44</sup> Yet, he enunciated no workable formula for differentiating between what was national and what was local.

Since Jackson considered harbor improvements more nearly national in character than road construction the former was less the object of his antipathy than the latter. Furthermore, the general river and harbor bill which had been established in 1826 had become so well accepted in Congress that there was no real objection to it as a whole, and the debates which arose when it was under consideration centered upon individual items. Senators and representatives from the various states championed the interests of their constituents and soon learned that they could best accomplish their object by cooperation; consequently an orgy of log-rolling ensued as enormous appropriations were passed each year which often included items of purely local interest.<sup>45</sup>

In an attempt to stop this practice Jackson vetoed the river and harbor bills, December 6, 1832. His objections were largely the same as those which he had defined in the Maysville rejection. He regretted that many of the streams included for improvement "are not navigable, are not channels of commerce and do not pertain to harbors or ports of entry designated by law, or have any ascertained connection with the usual establishments for the security of commerce, external or internal."<sup>46</sup> Even this executive castigation did not check Congressional determination, for each of the large river and harbor bills that were passed in 1832 and 1833 included items in violation of Jackson's national requirements. Consequently in his annual message in 1834, he still urged Congress to fortify itself with an amendment. He also tried to define what river improvement would meet his approval by saying that to be national in character the improvement must be below a port of entry or delivery.<sup>47</sup> The futility of such a hard and fast rule, in which Jackson himself lacked confidence, was illustrated the day following its announcements when the Senate re-introduced a bill which Jackson had vetoed and designated as the port of entry a city above the place where the improvements were desired. The episode not only revealed the insistence of the public for internal improvements but also the difficul-

<sup>44</sup>Richardson, II, pp. 509-518.

<sup>45</sup>*Debates*, 22 Congress, 1st Session, p. 3254.

<sup>46</sup>Richardson, II, p. 639.

<sup>47</sup>Richardson, III, p. 122; Edward Campbell Mason, *The Veto Power, Its Origin, Development and Function in the Government of the United States, 1789-1889*; Boston, 1891, p. 98.

ties involved in phrasing an amendment sufficiently definite to meet the President's suggestions.<sup>48</sup>

While Jackson vetoed the same number of river and harbor bills as he did road bills, his objection to the former's local characteristics were much less severe than to the latter. Congress, too, had become more eager for appropriations for river and harbor improvements than it was for road construction, and the total amount that it appropriated for this improvement exceeded the appropriation for roads, including those for the Cumberland Road, by \$1,576,441.26.<sup>49</sup> Scant attention was paid to canals during the Jacksonian era. Congress passed a bill authorizing stock subscription to the Louisville and Portland Canal Corporation. Jackson vetoed this measure, basing his objection on two grounds. He maintained that it was a local improvement and that the deepening of the Ohio River as planned would make the proposed Canal useless. He, furthermore, was opposed to mingling the concerns of the national government with those of states and individuals. This would destroy the federal system of government and he wished to prevent centralization before that process should get beyond control.<sup>50</sup> He approved two bills for the survey of canals in Florida and Alabama for which \$13,400 was appropriated. He raised no objection to a grant of 29,528.78 acres of land previously mentioned and an appropriation of \$28,337.50 to Indiana in lieu of land which had been sold along the route of the Wabash and Erie Canal.<sup>51</sup>

Jackson felt himself obligated to continue the construction of the Cumberland Road by the compacts which the federal government and the states had entered into for its construction. Furthermore, it distinctly met his criterion of "national" as it was to be a great highway connecting not only several states, but two sections of the country. Consequently, during his administrations he approved bills for its continuation and repair which amounted to \$3,603,716.66.<sup>52</sup> The problem of the distribution of surplus reve-

<sup>48</sup>Mason, p. 99.

<sup>49</sup>*Statement of Appropriations for Public Works, Rivers and Harbors, Forts, Arsenals and other Public Buildings from March 4, 1789, to June 30, 1882*, in Senate Executive Documents, No. 196, 47 Congress, 1st Session.

<sup>50</sup>Richardson, III, p. 510.

<sup>51</sup>*Statutes at Large*, IV, pp. 427, 460.

1829.....	\$250,000.00	1833.....	\$459,144.00
1830.....	215,000.00	1834.....	751,609.36
1831.....	244,715.85	1835.....	647,369.45
1832.....	425,686.00	1836.....	600,000.00

*Statement of Appropriations and Expenditures for Internal Improvements*, pp. 314-320.

The total cost of the construction of the Cumberland Road was \$6,318,739.82. *House Executive Documents*, No. 350, 25 Congress, 2nd Session; Jeremiah Young, *A Political and Constitutional History of the Cumberland Road* (Chicago, 1904), p. 92.



nue had engaged Jackson's attention several years before its reality occurred. He had at that time urged Congress to distribute it among the states in proportion to their representation in the national legislature. His veto of the Maysville Road Bill had added weight to the advisability of such action and Henry Clay in 1832 took advantage of the executive recommendation and introduced a bill embodying Jackson's proposal. The Senate approved the bill but it failed in the House due to the West's aversion to an eastern solution of its land. The Pacifier's consistent support of distribution eventually secured the passage of a law which offered the West an inducement of a twelve and a half per cent bonus on land sales, in addition to their share of the division of the surplus according to the federal ratio. The states were authorized to use the funds for any purpose in conformity with their needs.

Although Jackson had favored the general principle of distribution, he could not accept this bill. The bonus of twelve and a half per cent to the western states was the item to which he found most objection. He insisted that this feature was in violation of the compacts by which the public land had become federal property, it having been specified in the land cessions that the proceeds of public land sales should be apportioned among the states in proportion to representation in Congress. By allowing the western states a greater share than the others, the old states would actually be penalized by such action for the cost of administering the public land until 1833 was \$11,314,656 more than the receipts from the sale of public domain. The loss was a common one but the benefits were to be unevenly distributed. This was in violation of his pioneer integrity, so he applied the veto.<sup>53</sup>

In view of the fact that Jackson defined no clear-cut policy, other than that appropriations from the federal treasury should be for "national not state, general not local" projects, and in view of the fact that he allowed some bills to become laws which were identical with others which he vetoed, it is difficult to say that he contributed materially to the formulation of a general internal improvement policy. Only two presidents before the Civil War could claim that credit, i. e., John Quincy Adams who endorsed internal improvements consistently, and James K. Polk who with equal vigor and determination opposed it. Yet his influence on the subject was profound. Contrary to the advice of a strong element in his party he vetoed river, road, canal and harbor bills. The fact that some of these vetoes were im-

<sup>53</sup>Richardson, III, pp. 56-59.

posed for political reasons did not diminish their effectiveness in reducing the internal improvement issue from a position of major importance to one of secondary interest as it continued to be after 1837. It is undeniable that forces, in addition to Jackson's powerful objections, developed in his administration which probably would have checked internal improvement legislation, as the progress of railroad construction and the growing hostility toward corporations. Yet, it is true that the American System as Adams left it had almost unlimited possibilities of expansion, especially if Clay had succeeded him.<sup>54</sup> To Jackson, therefore belongs the responsibility for having turned the tide.

Purdue University,

West Lafayette, Ind.

<sup>54</sup>Appropriations for Internal Improvements:

Appropriations for rivers and harbors from 1789 to 1861.....	\$13,972,451.42
Appropriations for rivers and harbors during Jackson's administrations	6,051,403.42
Appropriations for roads from 1789 to 1861 .....	3,386,301.13
Appropriations for roads during Jackson's administrations.....	935,083.34
Land granted for canals from 1789 to 1861.....	3,814,443.33 acres
Land granted for canals during Jackson's administrations.....	29,552.50 acres

Compiled from *Statutes at Large*.

## THE SENATORIAL CAREER OF THE HON. FELIX GRUNDY

BY FRANCES HOWARD EWING

(Continued from page 224)

### SYMPATHY WITH THE SQUATTERS

In his primary interest for the development of the West, Grundy had not matured his thoughts as to the best policy which should be pursued, but his whole trend was building up a mighty western empire of strong, industrious, self-reliant men. He derided the New Hampshire Senators in their belief that "squatters" were trespassers and intruders and merited punishment as in infractors of the public law. In the opinion of Grundy, these frontiersmen were not violators of the law, but they acted on the original principle upon which titles to the lands were first acquired and possession held. They contributed their labor to the soil and improved its quality; they built homes, cleared forest, and opened fields; they added to its value and increased the wealth of the nation.<sup>150</sup> His sentiment "to give preference to the occupants now in possession," was the same foundation of the policy of præemption later adopted.<sup>151</sup> The graduation of prices and præemption was slightly confused in his mind; he could not easily distinguish where the one began and the other stopped. To him, it probably made little difference so long as the West and its inhabitants had every opportunity of advancement. He did not confine the provision of the law or preference to the settlers then on the lands, but his plan looked to the future as well as the present. "I would by no means limit the rights of the preference to the few who are now in occupation of the public lands, but to say to all citizens of the United States that any of them who would settle on the surveyed land, should be entitled to a quarter section—at a reduced price, say fifty cents an acre, or less, provided they would remain on the land two years and raise crops."<sup>152</sup> Grundy made his predictions, as all men do, and he saw rich communities in the distant wilderness and the national wealth greatly increased.

Only after all lands of value had been disposed of was Grundy willing for the Government to relinquish the re-

<sup>150</sup>*Idem*.

<sup>151</sup>Paxson, F. L.: *The History of the American Frontier*, p. 390.

<sup>152</sup>*Debates of Congress*, Vol. VI, Pt. I, p. 212.

mainder to the States in which it was situated. The lands were not to be given on the principle of a gift, but because they were of little or no value to the General Government, and it was a matter of convenience to the States.<sup>153</sup>

#### HIS FORENSIC POWER

Grundy's forensic power which he displayed in this debate, at once caused comments in the press. The *Washington Telegraph* marked it as a "masterly effort, which for argument, wit and eloquence combined has not been surpassed in the Senate of the United States."<sup>154</sup> It cannot be questioned that the Senator did possess the faculty of explaining the most abstruse subject, for even the man of the street could understand his line of argument. It was related that a plain countryman, one of the very crowded audience who heard Grundy debate this question, remarked: "I always understood Mr. Grundy was a great orator, but he talks so plain I understood every word he said."<sup>155</sup> So probably it was the case with hundreds of others, for the Senator's arguments were forceful but never obscured by efforts at oratory.

#### INVESTIGATION OF THE POST OFFICE

Grundy, however, was denied the privilege of taking part in all the debates, for following this first speech in the Senate, he entered immediately upon the long and tedious investigation of the Post Office. Grundy was "caught between two fires," and as a consequence he followed the task which was officially assigned him, and left the question of land to be handled by other western Senators. Grundy frequently during the first session of the Twenty-first Congress urged upon the members to postpone the various land bills, but on almost every occasion the motions were negatived. This session was particularly crowded with important measures, and he never failed to vote against amendments and land bills in order to stop them temporarily, that they might be given more serious consideration later.<sup>156</sup> With the failure to complete the bill "to appropriate, for a limited time the proceeds of the sales of public land" in this session, it was carried over to the second session, and Grundy again participated in the debates. He followed the same trend that he exhibited in 1830. Grundy differed from the two leading opinions concerning the proceeds; that the new States in which the lands were situated had

<sup>153</sup>*Debates of Congress*, Vol. VI, Pt. I, p. 212.

<sup>154</sup>*National Gazette and Literary Register*, March 6, 1830.

<sup>155</sup>*National Gazette and Literary Register*, March 4, 1830.

<sup>156</sup>*Debates of Congress*, Vol. VIII, Pt. I, p. 1162.

a claim to the exclusion of the other States, upon that principle of the national law which conferred on the sovereignty of a State a right to all the soil within its limits; and, second, that the bill on the table was based on the idea that the States, as such, had some different kind of claim to these lands, or their proceeds, than they had to the money in the United States Treasury arising from other sources of the public revenue. Grundy's argument, forceful and eloquent,<sup>157</sup> took the opposite interpretation of the question, and his points may be summed up under three heads: first, that the public lands were the property of the Federal Government, and their proceeds could only be applied to such objects as were proper subjects for Federal Legislation; second, that the new States in which the lands were situated had no more title to them than the older States; and third, that the several States, as such, had no better claim, either on the lands or their proceeds than they had to the other revenues of the United States.<sup>158</sup>

#### MODE BY WHICH THE LAND WAS ACQUIRED

All three of these were closely associated with one another, and in support of his contentions, Grundy began his argument with a review of the mode by which the land were acquired. The State had not purchased them from the original owners, nor had they made any arrangement or contract which would have authorized their claim. The States based their right of ownership upon the principle that sovereignty conveyed the title to them. The Tennessee Senator quickly discounted the worth of such hypothesis, because, to him, this principle did not apply between the General Government and the new States, but was applicable only between nations or states foreign to one another when there were no stipulations or compacts to the contrary. Grundy felt the plan of reclaiming lands was a violation of the agreement adopted when the States entered into the Union. They had surrendered all rights and pretense of title to the land within their respective limits to the Federal Government. All States had relinquished their claims except Tennessee, and for the new States to exert such a right "was a violation of the good faith and sacredness of a solemn agreement." The new State had no more right to them than any other State in the Union. Grundy was willing to let by-gones be by-gones, but to continue the appropriations to new States for any other purpose than internal

<sup>157</sup>*Washington Globe*, January 21, 1833.

<sup>158</sup>*Debates of Congress*, Vol. IX, Pt. II, p. 119.

improvements, which added "value to the residum of the public," he strenuously objected.<sup>159</sup>

#### THE PROCEEDS ON GO TO THE U. S. TREASURY

As to the proceeds from the lands, Grundy insisted that they should go into the United States Treasury to meet the heavy expense that the Revolutionary War had incurred upon the Government. The indebtedness, by no means, ended with the actual payment of materials used, but pensions had made the incumbrance seem as an endless process, whereby the debt was never entirely obliterated. Grundy thought that as long as the Government faced this situation of bounties, the only proper course to follow was to apply the proceeds from sales to the pension fund.<sup>160</sup>

#### THE BILL QUESTIONED

Quick to detect the legality and soundness of a measure, Grundy immediately questioned the bill from these angles. To him, Congress could not distribute public money arising from any source to individual States "ad libitum." If this practice was justifiable, then Congress could dispose of revenue arising from the various other sources in like manner. Grundy considered the whole bill had a hidden purpose—to gain indirectly what was practically impossible to attain directly. The two most glaring instances were: first, the bill proposed to give to the States money which could be applied to sectional internal improvements; second, it was a move made by the tariff men to continue the high duties, for it created "a demand for necessity for more money."<sup>161</sup> The advocates of the bill realized that the debatable question of local improvement could be avoided this way, for no mention would be made of the ultimate use of the money. Jackson had already made known his sentiments in regard to local improvement at Federal expense, and Grundy felt this move from the opposition was an attempt to evade this controversial point.<sup>162</sup> From this second speculation Grundy foresaw that if the bill passed, it meant money which could have been used for governmental expenses would be distributed among the several States. This, of course, necessitated the continuance of the high import taxes. Grundy stated that actually three million dollars would be given away rather than put into the United States Treasury to defray the expenses of the Government. The measure upon its face looked like a gift,

<sup>159</sup>*Debates of Congress*, Vol. IX, Pt. I, p. 113.

<sup>160</sup>*Debates of Congress*, Vol. IX, Pt. I, p. 114.

<sup>161</sup>*Debates of Congress*, Vol. IX, Pt. I, p. 116.

<sup>162</sup>*Idem*. Also *Washington Globe*, January 21, 1833.

but the Tennessean realized the fact that the people at the same time were taxed to make up the amount of the gift. "It looks like they are getting something from the General Government; but when it is recollected that a tax is imposed to supply the deficiency in the treasury occasioned by this measure, the deception is at once discovered and the delusion vanishes."<sup>163</sup>

#### FURTHER OBJECTIONS ON THE LAND BILL

Grundy had further objections to the land bill, but they were based principally upon his own enthusiasm for developing the West into a strong self-supporting section. He thought that the bill would have a tendency to retard the development of the West, for the price of public land would be fixed at a definite level. The Government could well afford a graduation of prices, since Congress apparently had money to give away. To Grundy, the most beneficial assistance from the Government would be to exhibit a liberal spirit to the people who wished to make settlements in the territories. Do that, and the population would shift from one section to another, and the country's growth would develop one more step. Grundy wanted to help the frontiersman to help himself, but to go beyond that point he would not budge an inch. The Government "should make things so that every man, however poor and humble, should be able to acquire a freehold of forty, eighty or one hundred acres of land, but it should not do more than that, if they fail, the Government is not responsible for that, "for no man is so independent as he who gets his own livelihood upon his own soil, and is not dependent upon the wills of others. . . . I should therefore prefer that this Government should provide by its laws that every man of industry may acquire, at a cheap rate, a portion of the public domain."<sup>164</sup>

#### DEFENSE AGAINST THE INDIANS

National defense against the Indians was of equal importance with westward migration. Grundy had consistently advocated the development of the territories on the principle that a dense population concentrated in this section presented an effective and immediate buffer to the formidable forces of the Red-men. Likewise, any attack upon the United States from New Orleans would be, to a great extent, eliminated if the country along the Missis-

<sup>163</sup>*Debates of Congress*, Vol. IX, Pt. I, p. 116.

<sup>164</sup>*Debates of Congress*, Vol. IX, Pt. I, p. 117. *Washington Globe*, January 21, 1833.

sippi was thickly settled. Men who had invested their money and labor in their small holdings naturally fought to preserve them. A thicker populated frontier would form a sort of standing army for the Government, well established along the lines of possible attacks at no additional expense.<sup>165</sup>

Throughout Grundy's argument the broad western characteristics were foremost. His emphasis upon the fundamental reasons of why the West could so materially benefit the United States far outweighed the more or less formal contentions of the opposition, which were apparently selfish and narrow. After Grundy had finished his speech, and the debate began to develop tendencies unfavorable to him, the Tennessean made an attempt to delay the bill in this stage, but his efforts were of no avail. On January 23, 1833, the bill passed, but Grundy's fears were dispelled with a veto of the measure by Jackson.<sup>166</sup>

#### CLAY AGAIN PRESENTS THE BILL,—1837

To Clay, failure to gain his point in 1833 did not mean defeat for the future, and in 1837 he again resumed the same pertinacity in the fight that he had previously shown. He presented a bill to distribute to each new State their share of the proceeds from land sales and five hundred thousand acres of land within their limits.<sup>167</sup> Grundy, of course, was at variance with the underlying principle, and it is useless to go into detail again, for the same arguments apply here that he used against the land bill of 1833. This bill in this form did not come before the Senate, for the Committee on Public Lands substituted a measure which restricted the sales of the public lands to actual settlers.<sup>168</sup> In this form, Grundy did not strenuously object. However, he offered an amendment to require of the settlers a two years residence, in order to reduce speculation as much as possible. With Grundy's amendment, adopted on January 20, 1837, the bill continued to remain before the Senate until February 9, of that same year, when it received approbation.<sup>169</sup>

#### AGAIN—1837—PRESENTS HIS LAND POLICY

The land question during these years seemed to be one that could not be definitely settled. Conditions on the frontier made new arrangements in land policies necessary; also the desire on the part of some of the Senators con-

<sup>165</sup>*Debates of Congress*, Vol. IX, Pt. I, p. 118.

<sup>166</sup>Richardson, *Messages and Papers of the Presidents*, Vol. II, pp. 56-69.

<sup>167</sup>*Debates of Congress*, Vol. XIII, Pt. I, p. 20.

<sup>168</sup>*Ibid.*, p. 204.

<sup>169</sup>*Debates of Congress*, Vol. XIII, Pt. I, p. 207.



tinually urged the adoption of cheaper prices for lands in order to hasten the organization of the public domain into territories. Newly organized territories meant the admittance of new States, and doubtless this pleased the Western Senators. With the consequent increase of their numbers in Congress, their interests would receive equal consideration with the Eastern problems. Grundy believed that cheaper lands was the only thing that would hasten western development, so again in 1837, he presented this land policy. The land question was already before the Senate, and Grundy tactfully offered an amendment as a substitute for the original bill which provided for the reduction and graduation of the price of public land. Grundy's amendment was short, but to the point, and in substance was as follows: "That from the thirteenth day of September in the year 1838 all the lands of the United States which remain unsold, and after having been offered at private sale at one dollar and twenty-five cents per acre, for five years shall be subject to entry at one dollar an acre; and all lands which shall have been offered for ten years shall be subject to entry at the price of seventy-five cents an acre, and all lands which shall have been offered for fifteen years shall be subject to entry at one dollar per acre for the same space of twelve months and after that time the same shall be subject to entry at fifty cents per acre."<sup>170</sup> The Tennessean maintained that this plan was for the best interest of the United States, for it allowed time to ascertain the actual value of the land. If it remained unsold, it was "*prima facie* evidence" of its inferiority. Grundy presumed that the General Government's object was not the retention of the public domain, but a disposition of the land at a price equal to its real value.<sup>171</sup> No personal interest should operate here, for a fixed sale was to be used, and surveyors' and inspectors' appraisals were not solely depended upon. Grundy's amendment passed, and was ordered as the original text. At last, he had succeeded in getting his idea before the Senate in a tangible form, and now it only needed this body's approval to make his hopes seem a little nearer realization. Grundy did not have to wait long to have his expectations satisfied, for on April 13, 1838, the Senate, by a vote of twenty-seven to sixteen, accepted the measure.<sup>172</sup>

#### NEW MOVES—ASSUMPTION: STATE DEBTS

With the land policy apparently settled, the public land question looked as if it was not going to occupy any fur-

<sup>170</sup>*Congressional Globe*, Vol. V, p. 93.

<sup>171</sup>*Idem*.

<sup>172</sup>*Congressional Globe*, Vol. V, p. 93.

ther attention, but indirectly new moves were under way that materially affected the matter of public lands. It was the assumption of State debts. At first this may appear to be beside the question, but the proceeds from the land sales were to furnish the principals to pay the debts of the States. Grundy from the select committee, opened the attack on January 30, 1840, upon the advocates of the assumption. The report from the committee wished to "nip their flower in the bud" in order to kill any chances that they might have. After the report had been presented to the Senate, the subject of assumption was made the special order of the day for February 10, 1840. Grundy hoped to defeat his adversaries by forcing them to vote on the resolutions contained in the report. In a private letter<sup>173</sup> to one of his friends, written the day preceding the formal consideration of the matter, Grundy expressed such a firm determination. He had no idea that his antagonists could side-step the issue, for he said: "We have got the opposition into a difficult position on this subject from which they will find difficulty to extricate themselves."

#### THE FOUR RESOLUTIONS

The four resolutions embodied in the report were placed before the Senate as the order of the day, as appointed. If the advocates for the assumption had based any of their contentions upon the constitution, the presentation of these resolutions, no doubt, caused a little unrest within their ranks, for Grundy's judicial opinions were not many times proven to be in error. The first stated that the assumption, directly or indirectly, by the General Government for the debt which had been contracted by the States for local objects or State purposes, were unjust, both to the States and to the people. The second one was that such assumption would be highly inexpedient and dangerous to the union of the States. The third, that such assumption was wholly unauthorized by, and in violation of, the United States Constitution, and utterly repugnant to all the objects and purposes for which the Federal Government was formed. The fourth resolution contradicted the vital part of the whole scheme of assumption which planned to set apart the public lands, or the revenue arising from them, as collateral for the State debt. It claimed such actions were wholly unjust, inexpedient, and unconstitutional.<sup>174</sup>

<sup>173</sup>*Manuscript Letter*, Polk from Grundy, February 9, 1840. (See appendix I.)

<sup>174</sup>*Congressional Globe*, Vol. VIII, p. 178.

### PLEASED THAT HE MADE POLITICAL ENEMIES

These resolutions gave the opposition something to think about, and they immediately began to hurl their criticisms against them. Grundy had already received misrepresentations from the *Intelligencer*<sup>175</sup> and to this the Senators added their attacks. The Tennessean did not mind the criticisms, not because he had become deadened to the din of censure, but rather he considered the denunciation of his political enemies as an indication of his efficiency. As long as he received disapprobation from them, he felt assured that he should remain in the political service of his country, for "political opponents condemn and interpose the most formidable obstacles to the attainment of their favorite objects. Therefore in general it is a safe rule to say that men and things most condemned by them, are best deserving the approbation of that portion of the public who are opposed to their views and schemes."<sup>176</sup>

Grundy did not meet any of their assaults until the first part of March, 1840. The vigor of his attack laid bare all the manoeuvres of the opposition. They had continually denied the charge of considering assumption of the States' debts, and to this denial Grundy openly placed their statements in the light of falsehoods.<sup>177</sup> Grundy immediately presented evidence that was difficult to discredit. The *New York Herald*, an opposition paper, had considered such a course, and had even gone so far as to present a plan.<sup>178</sup> Why should they do that, if assumption was not being considered?

### THE MATURED PLAN OF THE WHIG PARTY

The "matured plan" of the leaders of the Whig party was:

"Let the United States Government create three hundred million dollars of stock, bearing interest at four per cent, per annum, and let this be apportioned among the States on the principle of Mr. Clay's land bill, that is, pro rata according to the number of their Senators and representatives in Congress; and let the proceeds from the sale of the public lands be set aside and sacredly pledged as a sinking fund for the redemption of this stock. Let the Secretary of the Treasury, or some other suitable person, be appointed to exchange so much of this stock as may be the portion of any State for the stock of such State now issued, and after a certain period—say six months—pay over the balance to the respective States. Most probably the holders of some State stocks would not be willing to make such exchanges, and, if so, the State would receive its entire portion; and from the interest annually received on the United States, and

<sup>175</sup>*Manuscript Letter*, Grundy to Polk, February 9, 1840. (See appendix I.)

<sup>176</sup>*Congressional Globe*, Vol. VIII, Appendix, p. 223.

<sup>177</sup>*Congressional Globe*, Vol. VIII, Appendix, pp. 223-227.

<sup>178</sup>*Congressional Globe*, Vol. VIII, Appendix, p. 223.

sales of it from time to time, as their necessities required, be in a situation to progress at once with all its public works, whether commenced or only in embryo. United States stock would them immediately fill the space at present occupied by about two hundred millions of State stock; the remaining one hundred millions would be deposited in the State treasuries, and would only be offered for sale as their public works or other necessities required, and which the capitalists of Europe and America would gladly purchase at a premium."

### DEFICIT FACED

This scheme was undeniably the product of the Whigs, and it had indirect motives. The first was the tariff men's desires to increase the tariff. If this plan should be adopted, the Government would certainly face a deficit, for the States would receive from the Government from three to three and one-half millions of dollars, and would pay back the same amount, *provided* hazards of collections did not reduce it. Grundy thought that there were three ways to meet the deficiency; first, to tax imported silks; second, to dispense with a portion of the Army; or, third, to reduce the foreign diplomatic corps.<sup>179</sup> The Tennessean felt that there was little probability of following the second suggestion, for the country was still engaged in a war in Florida; there existed the Northwest Boundary controversy; and the Indian threats on the frontier were menacing to the nation. To follow the third course would be ridiculous, as the country's foreign relations for the last ten years had been "so successfully managed," and to reduce the number of diplomats would precipitate trouble. Grundy considered the first more seriously for he had from the beginning recognized the motives of the tariff men.<sup>180</sup>

### LITTLE DIFFERENCE IN THIS PROJECT AND THE EARLIER ONE

The Tennessee Senator saw very little difference between this project and the earlier one of distribution. The same fundamental principle applied to both, for was not the distribution of debt practically identical to the distribution of property? Connecticut citizens would be taxed to pay for New York's improvements. To him, the unjustness of the scheme condemned itself. Why should one State pay for another's improvements, and not share in the increased revenue that the improvement occasioned?<sup>181</sup> The inexpediency of the assumption of the debt incurred by the several States was just as apparent, for the State Legisla-

<sup>179</sup>*Congressional Globe*, Vol. VIII, Appendix, p. 225.

<sup>180</sup>*Manuscript Letter*, Grundy to Polk, February 9, 1840. (See appendix I.)

<sup>181</sup>*Senate Document*, Vol. IV, Doc. 153, p. 4.

tures would be relieved of their most important responsibility. It meant the end of all security and economy, as one body made the debt while another paid the indebtedness. Nothing could be more foreign to an economical form of government.<sup>182</sup> All current expenditures of the States would eventually fall upon the General Government. Such a situation produced extravagance, for twenty-seven States would spend money, and only one government met the liabilities. These objections were not actually so closely related to the question of public lands, but if Grundy could advance enough arguments against the whole subject, he felt he was contributing his part to preserve the remaining public domain free of incumbrances. For assumption to be successful, the unsold lands were necessary, and if Congress failed to redeem the debts, the land west of the Mississippi would be open to freeholders, and America could extend its boundaries further west.

#### GRUNDY'S FIRST AND LAST EFFORTS FOR EXTENSION

Grundy's first and last efforts were inspired with this zeal of extension.

Grundy came of that pioneer Scotch-Irish stock, intensely Calvinistic, believing that God had placed in their hands preordained purposes and plans to whom the hardships and impossibilities of the wilderness counted as nothing. It had a destiny which he knew would be fulfilled, and therefore set its hands to the task with fierce earnestness and zeal.

The older settlements along the Atlantic coast, with better homes, better roads, and everything better that made life pleasant and comfortable, while scorning the crudeness of their western compatriots—sometimes even with an intensity that amounted to hate—admired them, and finally yielded to the practical applications of its democracy.

#### HIS BIRTHPLACE PROPHECIC OF HIS LIFE

The birthplace of Grundy, in Berkely County, Virginia, on the crest of the Appalachian Range, is prophetic of his life. It was removed but a few miles from where the waters divide—those running to the east moving down and out to the dead levels of the tide-waters along the coast, and those to the west feeding and flooding the great interior waterway known as the Mississippi basin; destined to be a mighty interior empire of the purest Anglo-Saxon strain within the Union, furnishing the home of many presidents and states-

<sup>182</sup>*Ibid.*, p. 5.

men. These men helped to lay the foundations of the Government so securely that it was saved from the disintegrating forces of nullification and secession on the one hand; and from the straggling and corrupting influence of a centralized moneyed power.

Grundy had been reared under frontier circumstances and the development of the great unoccupied fertile area in the Mississippi basin was always uppermost in his mind. He undoubtedly visualized New Orleans as the great port for this vast empire on the South. His dreams of the northern and western borders of the Union included probably what is now the best grain country of northwest Canada to the Pacific coast—a dream to become in part true.

#### HIS THEORY OF THE SOVEREIGNTY OF THE STATES

His theory of the sovereignty of the States within the Union, while an advance from a position taken by some of the early founders of the government, was much like that held by John Marshall. Since Grundy's time the development has been to rob the States of their sovereignty and independence. Grundy greatly feared this tendency as it might lead to a breaking down of the hearty and robust character of their citizens. On the other hand, he stood firm against State separation. The Tennessee Senator saw clearly the State could not survive standing alone and would soon fall a prey both to foreign enemies and to strife among themselves.

#### RESUME

Grundy probably was more at home in his defense of the Post Office Department than on the many public questions that came before him. His mind always worked most brilliantly when meeting and warding off the assaults of the prosecution. During this bitter period of his service, he appeared to be the master of the situation at all times.

His fight against the rechartering of the United States Bank, is neither as adroit nor as skillful as the other causes that engaged his attention. In this fight he did not appear to be a leader, his role was more that of lieutenant to the bold and fearless Chief Executive.

Grundy sought to extend his influences for the advancement not only of his country and party, but for his personal friends. James K. Polk, one of the Presidents of the United States was an apprentice in his law office. The Tennessee Senator maintained successfully his side in the debates against the ablest men of his day. After a most active and strenuous life spent in the service of his country and at

the bar he died at the comparatively early age of sixty-three, leaving a large family and a comfortable fortune.

Nashville, Tenn.

## APPENDIX

### A.

WM. CARROLL TO VAN BUREN<sup>1</sup>

Nashville, November 11, 1833.

My Dear Sir:

Although I know you must be very much employed at this time, yet I am persuaded a line in relation to our movements here will not be wholly unacceptable.

Our legislation has been in session eight weeks, and the only thing they have done of much interest is to pass a law extending our Jurisdiction (within our chartered limits) over the Cherokee Indians. I have heretofore been opposed to a measure of this kind, but I believe it right now, upon the ground that it will hasten their removal West of the Mississippi. You will have understood from our newspapers that Mr. Grundy is elected to the Senate of the United States for the next six years after fifty-five ballotings. It is but justice to him to say, that his success was owing to his own ability in managing such things, and to a strong hold he has upon the great body of the people. He is now firmly fixed in his position for the next six years, and to say that he will not hold a commanding influence during that period in our State, would be doing him great injustice. He travels much through the State, is mild and social in his intercourse and makes strong impressions wherever he goes. I mention these things, because in a long conversation with Mr. Grundy just before he left home, I found his feelings were very kind towards yourself, and I know you can easily adopt such a conciliating course towards him as will not only preserve but increase those feelings. I should be very much pleased, if shortly after his arrival at Washington you would have a full and free conversation with him on public matters. It will have a good tendency, and whatever you hear to the contrary, candor obliges me to tell you that it will do no harm to increase your friends in Tennessee. Judge McLean spends several weeks in the State every year, which affords an opportunity of forming an extensive personal acquaintance—this with the aid of his Methodist brethren make him somewhat formidable.

Towards the close of the winter, if circumstances permit, I intend to visit Washington. In the meantime I should be very gratified to hear from you occasionally.

Accept assurances of the regard with which I am, respectfully,  
Your friend.

### B.

TO JAMES K. POLK<sup>1</sup>

Washington City, Oct. 17, 1839.

*Confidential.*

Dear Sir:

By last night's mail, I received the accounts of the Organization of the General Assembly of Tennessee, I assure you, it was most gratifying, to see the good old republican State of Tennessee, stand-

<sup>1</sup>Van Buren Papers.

<sup>1</sup>Polk Papers.

ing strongly up to her long-cherished principles. I still believe Foster will resign and not disgrace himself as he certainly will if he holds on, after he is instructed to vote for the Independent Treasury Bill—Should he resign, then, I fear there will be trouble among our friends as to the successorship, and a note at the end of a letter, which I received last night from General Armstrong intimates, that the last alternative may have to be resorted to—respecting which, you know my feelings and wishes. White's successor should be now chosen—there should be no hesitation about it. There would then be two Senators to elect. The terms of one to commence; immediately; of the other, in March, 1841. If the places could be changed with public approbation everything would be convenient and agreeable. If this is done, (White will resign as sure as you live—then the Legislature or you, as the case may be, can fill the place with some person from West Tennessee for the two remaining sessions of his term. I think no one would seriously complain of this arrangement. This plan would throw Foster's successor into East Tennessee and give White's to Middle Tennessee). I could then remain where I am for two years and finish my political course in the Senate. My abandoning my present station at this time, might be somewhat injurious to the public, and very much so to myself individually. The feelings in your favor for the Vice-presidency is strong, and I think is growing rapidly. I have no news, but what you see in the papers. Give my respects to Mrs. Polk and write to me often.

Your friend.

C.

#### POLK TO VAN BUREN<sup>1</sup>

Nashville, Nov. 11, 1839.

Dear Sir:

I have not written to you earlier from a knowledge of the fact, that until recently you were absent from Washington, and it was uncertain where a letter could reach you. I congratulate you most sincerely upon the result of the summer and fall elections. The leading measures of your administration have been fully sustained by the people whenever they have spoken. If New York and Mississippi have rendered similar verdicts, the opposition to the administration, will scarcely be able to make a sham of resistance in the great contest of 1840. In this State the contest through which we have passed, was by far the most active we have ever had. Judge White, forgetting the dignity of his station, as well as the former character of which he boasted, descending into the political arena, and became an active partisan and brawling electioneer. All the leading men of the party in the State, of which he is the head followed his example. They were not at any point. In the course of the canvass it was my fortune to encounter each and all of them in public discussion. Since the election the leading and Federal presses have been making a desperate effort to rally their scattered forces for another battle. We have however possession of the field, and with common prudence, will I do not doubt be able to retain the ground we have now. Mr. Bell, I think apprehends, now that the state is lost to his party, that his Federal friends at the North may have no sufficient motives, to select him as their candidate for Speaker, and know the extraordinary efforts which have been made since the election, to make the impression that the State is still de-

<sup>1</sup>Van Buren Papers.



bateable ground and may be acclaimed. It was a selfish motive of this sort I have no doubt, which induced the delegation of committees from Nashville and Knoxville, to visit on Mr. Clay and invite him to the State. They can have no rational hope of carrying the State for him. We will have an active and heated contest, but I have no doubt of the result. The Democratic Party of the State, are in my opinion many thousand stronger now than they were at the late election.

Resolutions of instructions to our Senators in Congress, upon all the prominent measures of your administration, have passed the Senate of our Legislature, and are now before the House, where they will pass without doubt. In that event it has been ascertained *from a source to be relied on*, that *Foster* will resign, and that *White* will obey. The old Judge has at times spoken of his fondness for retirement, and talked of resigning his seat in the Senate. I never believed him sincere, and the pertinacity with which he now holds on to his place proves that I was right. Mr. *Grundy* is the only man in the State, upon whom the Democratic members of our Legislature, can be united, as Mr. *Foster's* successor. Governor Carroll is in wretched health and it will not do to think of him. Half a dozen others of nearly equal age and claims have been spoken of, and if Mr. *Grundy* was withdrawn, a heated and natural collision between them is inevitable. The result would be that the Federalists would cast their votes, upon the man best acceptable to the Democracy and elect him. Unfortunately unknown in our ranks is an individual who aspires to the Senate, who would be willing to take an election from our opponents, aided by a small minority of our party, and if elected in this manner, he would, I have little doubt, in a very short time abandon us. All the aspirants except himself, we have reasons to believe, are willing to yield to Mr. *Grundy*, but no one of them to either of the others. With Mr. *Grundy* as our candidate, we can succeed beyond any doubt. If he is withdrawn we will as certainly be defeated. Mr. *Grundy's* election, too, would be the most popular that could be made in the State, because it would be simply reinstating him, in the place from which he was driven, by our opponents whilst they were temporarily in the ascendancy. It would be the surest rebuke we could give them. It would be approved by the whole Democratic party of the State. Apprehending serious difficulties in the situation of a successor to Mr. *Foster*, in the event of his resignation, I made an earnest appeal to Mr. *Grundy* early after the political complexion of the Legislature was known to consent to return to the Senate. He does not desire to leave the Cabinet, but I believe is satisfied, that it is his duty to the State, as well as to the party, not to decline the Senatorship, if it shall be voluntarily conferred upon him. It is now settled that the party will unite upon him and elect him. The resignation and the election will probably take place as soon as the instructing resolutions shall pass the House, which will probably be in less than a week. (You would, I doubt not, be pleased to retain Mr. *Grundy*, in your Cabinet, yet for the sake of attaining a greater good, I have no hesitation in believing, that you would consent to dispense with his services. His place in the Cabinet will be easily filled, whereas, without the use of his name as the Democratic candidate for the Senate, in the State, the party is in imminent danger of being disorganized if not for a time disbanded.) In the event of his election to the Senate (which I regard as now certain) you will, I know duly appreciate the necessity which induced it.

I am,

Very Respectfully,      Your friend.

D.

S. PENN, JR., TO VAN BUREN<sup>1</sup>*Confidential.*

Louisville, April 12, 1836.

Dear Sir:

I hope Mr. Grundy's bill will be well matured before our friends consent to its adoption. I oppose the proposition in the main but I cannot swallow the details. I have written to Col. Johnson not to commit himself upon it. The bill *aims at more than meets the eye*. It is designed for the benefit of the successor of the present Post Master General; and Grundy expects to be his successor.

Look at the patronage it proposes to concentrate in one man—contracts for the transportation of the mails—seamen and marines—the army, munitions of war, etc.—part of the interest and no little of the influence of three departments to be vested in the head of one. For a few months after the adjournment of Congress, it is supposed Mr. Kendall will be engaged in what we term in the west "*higgling*" with the proprietors of railroads—that nothing will be done and a change will be demanded in the head of the Post Office Department—and, consequently, effective operations will not be commenced under the bill until the new administration shall come in. The plan is artfully laid, and the calculations connected with it are based on Mr. Kendall's rigid or screwing disposition. This is for your own eye. I do not wish to cause Mr. K. to suspect Mr. Grundy nor am I willing to seem to be developing a movement that may look to the prostration of the former, as I consider my connections with the department over which he presides dissolved by the instructions he has given, and to which he adheres. Besides, I feel bound to oppose the concentration of the contracting power in one man.

Yours sincerely.

E.

TO CAVE JOHNSON<sup>2</sup>*Confidential.*

Nashville, Aug. 29th, 1833.

Dear Sir:

I have received from E. Ten., intelligence which gives me 10 votes certain and 2 more probable, almost certain—The Maury members are both for Foster, and the people have called a meeting for the purpose of instructing them on the 2nd Monday in September,—it being County Court day—

I have been informed, that Andrews is for Foster—this may be a mistake, but I fear not—It is, probably right that you should go ahead as you intended in your Counties. Huling is here, and I am told is in great trouble, for fear Jeff Campbell will oppose him for Speaker—

So soon as you get a letter from Bavat, send it on—advise me from time to time of everything that is happening in your region. We gave Barry a great dinner and unluckily for my opponents, he complimented me in his speech very highly—in reference to my defense of his Department.

Yr. friend.

<sup>1</sup>Van Buren Papers.<sup>2</sup>Personal Miscellany.

F.

TO JAMES K. POLK<sup>1</sup>*Private.*

Washington, Oct. 17th, 1837.

Dear Sir:

Upon your arrival at Nashville, should the Senatorial election not have taken place—you will, upon a careful examination of the whole subject—make such use and disposition of my name, as will in your judgment best promote the public interest—Should a withdrawal of my name, in a future election for the office, promise anything favorable—you are at liberty to pledge yourself, that my claims shall be withdrawn; and your pledge shall be redeemed; (so thoroughly am I convinced, that the good of the country requires, the preservation of the principles of the present administration, that I am willing to make any personal sacrifice to aid in giving them effect. .)

Your friend,  
FELIX GRUNDY.

G.

FELIX GRUNDY TO POLK<sup>2</sup>*Confidential.*

Washington, Dec. 1, 1839.

Dear Sir:

I duly appreciate the difficulty in which our friends in Ten, are placed, they shall sustain no damage from me—The first cars that leave after the election of Speaker, carries me towards Nashville, where I expect to be nearly by the time this reaches you—Mrs. Grundy must be at home—There must be a place secured where I can see our friends of the Legislature together on the next night after the one on which I get home—it should be private and remote so I can talk. I can and will remove any obstacles, but to save the Constitution, I must be at home a private citizen—I shall come prepared to make everything right instantly. If I am to take my seat in the Senate I must not be detained. I am acting not only according to my best judgment, but upon the safe counsel of friends here.

Y. friend.

H.

TO JAMES K. POLK<sup>3</sup>*Private.*

Washington, Feb. 3, 1840.

Dear Sir:

In answer to inquiries made by some of us, we give the following answer which is the result of the best information within our reach. A National Convention, as recommended by New Hampshire, seems now to be certain. We anticipate no certain good of any kind from that assemblage. We fear, its dissension, will weaken the Democratic cause, and produce heart burnings, which may be injurious. If the Vice-Presidency should be yielded to the West, Col. Johnson will present Arkansas, Missouri, Illinois, Indiana, Ohio, Michigan, and Kentucky—All claiming his nomination. This will constitute a strong claim which it will be difficult to resist. You have strength in New England, New York, Virginia, North Carolina, and some other states.

<sup>1</sup>Polk Papers.<sup>2</sup>Polk Papers.<sup>3</sup>Polk Papers.

But whether it can control the vote of those states in the Convention, we cannot say. *We consider this very doubtful.* Our impression is—if no convention had been called, and the Electors in the different States had been left to vote *ad-libetum*, your prospects would have been very good, if not certain. The Convention *may* disappoint the wishes of your friends.

We think Members of Congress should have as little to do with the Convention—as members—as possible, although they should act, when it is inconvenient to procure the attendance of others. If the Convention could be dissolved harmoniously, without making nominations at all, it would accord better with our views, than any other course. We speak from the present appearance of things—further developments may change our views. We were disappointed in Ohio and the failure of North Carolina to recommend, was not anticipated. If the convention adopts the rule of the last Convention that two-thirds should be necessary for a choice, it is very likely no nomination can be made, and the whole matter will break up in confusion, which will produce mischief, then much will depend on Virginia, Pennsylvania, and New York. If they concur a majority will be secured—but their concurrence is very questionable.

One thing is very desirable, which is, that *Tennessee should be fully represented in the Baltimore Convention.*

Yours with great respect—

FELIX GRUNDY,  
A. McCLELLAN,  
H. M. WATTERSON,  
H. L. TUNEY,  
C. JOHNSON,  
A. V. BROWN.

# I.

TO JAMES K. POLK<sup>1</sup>

*Private.*

Washington, February 9, 1840.

Dear Sir:

I have no doubt, that a direct or indirect assumption of the State debt is intended by some of the leaders of the opposition. This you know, would produce a high Tariff etc.—which is so much desired by the Capitalists in the North. You will see in the *Globe*, that Mr. Gentry of Ten, gave notice of a Bill he intended to introduce upon the subject. This is to be the Battle field, rely on it, and our friend Harris should take a bold start—Gentry should never have ventured on this measure without a previous arrangement with Bell and others—The *Intelligencer* in a long article abusing and misrepresenting my report, does not deny the assumption as intended. If his party were against the assumption—It would have said so.—We have got the opposition into difficulty on the subject, from which they will find it difficult to extricate themselves. Tomorrow, the subject will be taken up in the Senate. It is the special order, we are determined to push our adversaries to the wall and never let them off without a direct vote on the Resolutions in the report.

Your prospects for a nomination at Baltimore are substantially, as stated in our first letter, with a little variation for the better.

Your friend.

<sup>1</sup>Polk Papers.

J.

TO JAMES K. POLK<sup>1</sup>

Washington City, March 2, 1840.

Dear Sir:

I was glad to receive yours in answer to the joint letter of the delegation—we shall use our influence, if we have any, directly. Of course I am mortified at some letters I received upon the subject of your election to the Vice presidency. They imply without saying it, that we who are here, are not acting as zealously as we should. They also urge the nomination of a Vice president by the Baltimore Convention. My own opinion is and has been against such nomination. My original impression was that you could not be nominated by that convention. Recent circumstances so strongly confirm my first impression. Virginia and South Carolina will not send delegates. Both these States are decidedly for you. Besides there are other facts within my knowledge which I am not at liberty to communicate—which go far to satisfy me, that you can be elected without a Convention & you cannot be nominated by it. I am in an unpleasant situation. If I act as your friends at home wish, I shall assist in defeating you and also throw our State into difficulties, from which we cannot recover. I will not do a foolish thing knowingly—and therefore my opinion is, that Ten. delegates should go to Baltimore, and unite in the nomination of the President, then act according to circumstances—and if it is discovered that a nomination will be made, which Ten. cannot sustain herself upon they should retire and not commit the State by any act of theirs & a State of things may arise which would change the face of things and of course my views would be changed.

K.

TO JAMES K. POLK<sup>2</sup>

Senate Chamber, April 15, 1840.

*Private.*

Dear Sir:

It seems now settled, that Massachusetts will not send delegates to the Baltimore Convention. If a nomination should be made by that body—Col. Johnson will certainly be elected. I do not intend to participate in that results—my convictions ever since my return to this place, have been against that Convention and I verily believe there is not one friend of yours in Congress, who differs from me in opinion. Johnson, I think, some weeks ago, would have agreed to dispense with a nomination,—In that case your election would have been certain, unless we are doomed to a general overthrow. He now feels more confident and his views may be different. He is encouraged by a recent letter received by him from Albany which says that altho no nomination for the Vice presidency was made by the late Democratic State Convention there was a majority of party in favor of Johnson. This if true as it probably is, would I suppose govern the delegates from that State in the Baltimore Convention. Still I have no idea, that he would get the electoral vote of that State, were no nomination made. You know my judgement has uniformly been against a nomination at Baltimore, and if the Ten. delegation had not been urged from home to act against their own convictions, the Convention would not have met, or no nomination of Vice president would have been made—and you would have been Vice president,

<sup>1</sup>Polk Papers.<sup>2</sup>Polk Papers.

beyond all doubt. It is true we have not acted against our judgment—but we have not felt authorized to act, agreeably to it—with that energy with which we might have acted as it was evident that every letter, newspaper paragraph etc. from Ten. indicated a different course from the one, we deemed judicious—Should there be no nomination at Baltimore you will probably be elected. But the prospect is not as good as it would have been—If the proper steps had been taken—but which seems to be interdicted by our Constituents—I have at no time in my life, seen my way as clear, as I have on this whole matter, and I have never been so thwarted by opinions of a contrary character from those who have not the means of judging correctly. I waited with great anxiety to hear from Maj. Donelson after he got home—and from what he said, I expected to see something in the *Union*, indicating different views from those heretofore expressed in that paper—nothing of the kind has been received. On the contrary I have seen a letter ably written from Gen. Jackson, urging the propriety of a nomination at Baltimore—and setting forth your claims with great force. To all I have heard upon the subject—I have one answer to make—you cannot be nominated by that Convention—that I suppose is sufficient.

Yr friend.

L.

TO JAMES K. POLK<sup>1</sup>

Washington City, June 1, 1840.

*Private.*

Dear Sir:

Last evening I received yours requesting my opinion on the subject of the Vice presidency etc. I had delayed writing until I could get some satisfactory information to communicate. These are my impressions and they are pretty strong. If there had been no national Convention, your election would have been certain. At the close of the convention between you and Col. Johnson, the chances were rather in your favor—not much—Since that time the development in favor of Col. Johnson are considerably stronger, I might say they are almost decisive—not altogether so—The call in the late number of the *Union*, upon the different States to come out and designate their choice for the Vice presidency, is operating very well and will probably produce a decision against you—Even in the City of New York there are several thousand who prefer Johnson to Van Buren, and the friends of the latter dare not the former without the certain loss the State—so it is in some other States—What course you shall pursue, is for your own decision. My opinion is, that if you decline, the step would be disastrous—and the best way in doubtful cases is to stand still. At present there is total silence on the subject of the Vice presidency among the Members of Congress.

Your friend.

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## DOCUMENTS

### GENERAL FORREST AT WOODBURY

November 28, 1929.

Judge John H DeWitt,  
Nashville, Tennessee,

Dear Judge DeWitt:

Recalling a conversation we had in Memphis last month in regard to the matter of General Forrest's passing through Woodbury enroute to Murfreesboro, to relieve some imperilled prisoners, I wrote to Dr. Thomas W. Wood of Deason (Bedford County), and asked him to give me his version of the matter, to which letter he very kindly made prompt reply, and I am handing you herewith an exact and true copy of his letter:—

You probably will recall that at that time James Wood, father of the Doctor, lived in a large frame house up on a knoll almost opposite and across the highway from where Judge W. C. Houston now lives. The creek referred to in his letter evidently means Hill's creek, which comes out of the Houston farm and crosses the highway directly in front of his home, also in front of the Wood home.

I think that the "old sheriff" referred to in his letter was named Arnold, Edward Arnold. I get this from a letter from Dr. Wood to my sister written about five years ago, and I happen to know that Ed. Arnold was sheriff of Rutherford County many years ago.

The Tommy Dillon that he refers to as being one of the prisoners, lived here, and I remember him, he died when I was a boy, and has a son living here now.

I recall from some other source of information that Mr. Larkin Stewart, also of this community, was one of the prisoners. He also has relatives living here.

Very respectfully,

STERLING S. BROWN.

Shelbyville, Tenn., R. 3, Deason,  
November 26, 29.

Judge Sterling Brown,

Dear Sir:

Your letter received today. General Forrest at the head of his command about 1,500 soldiers with his staff, stopped at my father's Jas Wood home at dark; took supper, made his headquarters, slept in the East room with his staff till 1 o'clock when he was soon in his saddle with his command. Part of them camped on the creek in front of my father's house, the other portion passed to other camping ground. It was on Saturday night 12 July; battle fought on Sunday, 13 July, 1862, Forrest's birthday. He captured about 1,500 or 2,000, and passed back through Woodbury, Monday following. The old Sheriff of Rutherford County had gone for Forrest up about McMinnville to relieve some prisoners in jail at Murfreesboro who were reported to be shot by the Federals. There were some prisoners in jail from Cannon County, uncle Tommy Dillon was among the

number. They all escaped. I happened to be home at the time on a furlough.

Yours most truly,

T. W. Wood.

P. S. I regret to hear of the passing of my old comrades—but such is life. I have lived beyond my expectations. I was 94 the 3rd of June last. My kind regards to all inquiring friends.

T. W. W.

## TWO ANDREW JOHNSON LETTERS

(Furnished by David Rankin Barbee, Washington, D. C.)

Washington City,  
July 31, 1861.

(Private)

Amos A. Lawrence, Esq.,

Dear Sir:

I have to acknowledge the receipt of your letter of the 26th inst., enclosing a communication from a gentleman (whose name you do not give) in Louisville in regard to East Tennessee affairs.

Referring to your generous and patriotic offers of aid for the Union cause in my State as expressed in the correspondence resulting from the attempted fraud upon you by the forgery of my name, I will state that I have succeeded in providing, through the Government, means for the defense of East Tennessee, but there still remains a cause in which your liberality can be properly and most advantageously exercised.

The Union papers of that section of the State—East Tennessee—are now reduced to two or three. Foremost among them is the *Knoxville Whig*, edited by the Rev. Wm. G. Brownlow.

Brownlow is a patriot, ardently devoted to the Union cause and the influence of his paper is very great.

His press must be sustained, but his circumstances will not admit of his bearing the entire burden.

His paper has been suppressed by Secession Post Masters, his subscription lists fail him, he is sustaining pecuniary losses with every issue of his paper, everything is done by Secessionists to intimidate him; but, conscious of the right, he stands forth the fearless advocate of the Government of our fathers.

I have said thus much, Sir, in behalf of that paper, entirely without the knowledge of the distinguished editor, and without any idea of appealing for pecuniary aid for him personally.

His paper boldly advocates the cause of our people, and it ought to be sustained.

Rather let us establish more such papers than that these should go down for the want of aid.

Every cent that may be placed in my hands or in the hands of others for that purpose shall be faithfully applied and accounted for.

I should not even have written this letter had I not been taxed individually to the utmost of my ability.

Please favor me with a prompt reply.

Very respectfully,

Your Obt. Serv't.

ANDREW JOHNSON.

Washington City,  
August 14, 1861.

Carlyle Murray, Esq.,

Dear Sir:

I have received and read with interest your letter of the 9th inst.

The amount therein referred to as coming through Amos A. Lawrence, Esq., has been received, and, in connection with other funds has been conveyed to Mr. Brownlow. I see from the papers this morning that the publication of the *Knoxville Whig* has been ordered to be stopped, and I fear it cannot be resumed until the supremacy of the Constitution and the law is asserted and maintained in Tennessee, or the Eastern portion thereof.

The Government is taking the necessary steps to that end, and I hope it will be accomplished at no distant day.

Hundreds, not to say thousands, of East Tennesseans are now making their way into Kentucky, seeking protection and supplies to sustain them against the usurpation and tyranny now imposed by the Confederate States. Many of them have been compelled to leave their families to the *tender mercies* of Secessionists, but they intend to return with arms in their hands to drive their oppressors beyond the boundaries of the State.

I hope and trust that you, Sir, familiar with the character of our people, may have it in your power to contribute much personally and pecuniarily to relieve them from their oppressed condition. You know their love for the Union and the Government of our fathers. They never will, if they have the means of resistance, placed in their hands, submit to be slaves. They may be conquered; their fields may be converted into graveyards; and they may no longer realize the blessings of free government; but they will never consent to become the subjects of a Southern monarchy. Death, extirpation and the extinction of their name and race would be regarded by them as far more preferable than life without freedom and the proud distinction of being citizens of this glorious Union.

My heart, my hopes, and my destiny are with them, and with them I intend to live or perish.

I shall pursue no doubtful course. In matters of this kind, I am controlled and actuated as in matters of religion. When I cannot see my way clear as to the future; when my facts or data all give way, and my reason fails me, I draw upon my faith, and, relying upon a great principle of right lying at the foundation of all things, I cannot believe that this hell-born doctrine of Secession will triumph, and that its corrupt and traitorous followers can succeed.

I shall be either at this point, Cincinnati, or Lexington, Ky., just at such times as I can most conveniently aid the cause of the Union in my section of the State of Tennessee. I may therefore be addressed at either of those places with perfect safety, for the Post masters at those points will be instructed to forward to me whatever mail may be sent to their offices when I am in another city.

I may visit Phila., New York, and Boston. If so I will be much gratified to see you and have a personal interview.

Accept assurance of esteem and believe me

Your Obt. Ser't.,  
Andrew Johnson.

Under the frank of Em. Etheridge, M.C. (of Tenn.), Mr. Johnson also sent to Carlyle Murray an exact duplicate of the letter he sent to Amos. A. Lawrence.

These three letters were found in the Archives of The State Department at Washington, in a package of "treasonable" papers that had been seized in Boston in the office of a so-called Ter-ra-tor, who was caught outfitting and selling to the Confederacy a ship to be used as "a pirate," or something, as Andy says.

Lawrence was a rich manufacturer, and Murray was a Boston lawyer. Murray probably was the attorney for the aforesaid ter-ra-tor.

David Rankin Barbee,  
of Tennessee.

## REVIEWS AND HISTORICAL NOTES

*The Massengills, Massengales, and Variats.* By Samuel Evans Massengille, M.D. 911 pages. The King Printing Company, Bristol, Tennessee. \$10.00.

This is one of the most elaborate contributions to history and genealogy published in the last few years. A handsome volume indeed, mechanically embracing all modern features that the printer's art can contribute, permanent binding on splendid paper with a type most pleasing and helpful to the eye.

Historically the writer divides his thesis into an English period, A.D. 1472 to 1653, and American, 1653 to present day. To Tennesseans the story of the family of Henry Massengill of Watauga is one of far-reaching interest; the divergent families embrace many of the most important names of the state. Reaching over to the middle of the state, the Porter family of Nashville is fairly complete as it ranges from Tennessee to Louisiana.

The data covered includes much in the way of war records extending from the Revolutionary period down to the World War. Large use has been made of the census reports from 1790 to 1870. One has well said that:

"The Massengill history is not only a book invaluable for its genealogical reference, but its content is a mine rich in the history of England, and the States and counties of the Union, throughout which the Massengills are located. In detailing their history and its connections the author has depicted the influence and powerful part played by the pioneers in the building of the communities, counties and states in which they dwelt, at the same time making the book an authentic canon of historical source material."

Appendices cover a mine of collateral family history, with a ten-page defense of Col. John Tipton's action in the "Lost State of Franklin."

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*Historic Map of Tennessee from the Year 1795.* Mr. Dennis C. Guthrie of Knoxville, Tennessee, has published a most attractive historic map of the State of Tennessee by superimposing upon an old map of the *Tennassee Government, 1795*, a number of pictures and legends that represent the modern markings of historic sites. As a border he has pictures of many of the worthy pioneer leaders of the early date. This map will be interesting especially to those—and that a large number—reached by the "eye-gate."

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*Abstract of Moore Records of South Carolina, 1694-1865.* By Jane Revell. The State Company, Columbia, S. C. \$1.00.

In a neatly printed pamphlet of 46 pages with substantial cover, there is printed an amount of genealogical data concerning the names "Moore," "M-o-r-e," "M-o-a-r" or "M-o-o-r." The first pages deal with Miscellaneous Notes of the "Moore" name, followed by county, parish or district material from over the State of South Carolina.

The writer has for sale also type copies of the Wills of Sumpter District 1777-1815, and Marriage Motives from the *Pendleton Messenger*, 1826-1848.

---

*"The Lost State of Franklin,"* by Samuel Cole Wilson. Historical students will note with interest the published statement that shortly there is to be a revised edition of this volume issued. The first edition was soon exhausted and the demand is such as to justify a new one at an early date.

This edition will be published by The Pioneer Publishing Company of Washington, D. C.

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*"Virginia Wills and Administrations"*—1632-1800. We have here a monumental work that for all time to come will be useful as a reference book to genealogists and local history students. With great pains and tedious application the author has made available an amount of data that in every way makes less burdensome the task of the genealogist. The volume compiled by Clayton Torrence is published in a limited edition of 1,000 copies, by the courtesy of the National Society of the Colonial Dames of America. Price, \$10.00. William Byrd Press, Inc., Printers, Richmond, Va.

## SOLDIERS OF THE WAR OF 1812 BURIED IN MORGAN COUNTY, ILLINOIS

An interesting article with the above topic, by Sarah John English, is found in the *Journal of Illinois Historical Society* for January, 1932. A survey is given of the events that transpired in the warfare about the Lakes. Later quite a number of the soldiers of these battles settled in the bounds of Morgan County, Illinois.

On November 8th, 1931, a beautiful Bronze Tablet was placed on the Morgan County Court House in honor of fifty-one known, and all other soldiers of the War of 1812, buried in Morgan County. After giving a list of the immortals that fought in this war the following is stated:

"May we never forget Andrew Jackson, his is one of the mightiest names in American history—soldier, patriot, President, statesman, the Cincinnatus of America, one of the greatest strategists of the times, who settled for all time American independence. Our country would have had a different history without the peerless Jackson and his faithful followers, for Great Britain would write its pages. At the most critical time in our country Jackson loomed on the horizon and flashed in the sky,—not a meteor dazzling in brilliancy soon to plunge into eternal darkness but as a star of the first magnitude, to shine on through the ages, as one of the Immortals."

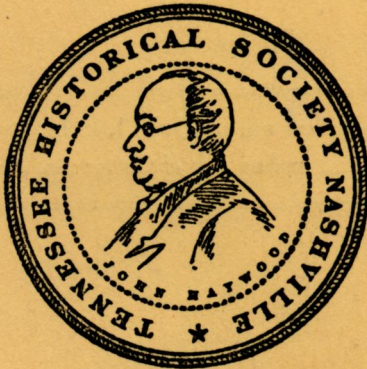
Three of the names on the tablet were those of Tennesseans, namely: Nimrod Funk, David Hart, and Solomon Hart.

Series II, Vol. II

January, 1932

No. 2

# TENNESSEE HISTORICAL MAGAZINE



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## FORM OF LEGACY

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*"I give and bequeath to The Tennessee Historical Society  
the sum of .....dollars."*



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*Frances Wright.*

# TENNESSEE HISTORICAL MAGAZINE

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Series II, Vol. II

JANUARY, 1932

No. 2

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## DREAMER'S VISION FRANCES WRIGHT AT NASHOBA (1825-30)

BY EDD WINFIELD PARKS

Frances Wright early learned to juggle bright philosophical balls, tossing them into the air and catching them neatly, to the applause of even more skilled connoisseurs of the art. A protege of Jeremy Bentham, she talked on terms of equality with Francis Place, James Mill, George Grote, and John Austin. To her, Bentham was a modern Socrates, and the little group of philosophical radicals a nucleus that would reform the social, political and intellectual life of England. They talked almost nightly of government and utilitarianism, of the greatest happiness of the greatest number, of epicureanism as applied to modern life, of varied panaceas for economic ills—and in these theoretic discussions Frances Wright was not least among them.

This was strange company for a girl of twenty-five, but Frances Wright had flowered early, both mentally and physically. Born of orthodox Scottish parents in Dundee, in 1795, and reared under equally orthodox English relatives in London, she soon deserted religion for epicureanism. Conventional schooling and conventional pleasures were discarded at nineteen, for the purpose of writing a book on Epicurean philosophy, published in 1822 under the title, *A Few Days in Athens*.

For all her interest in the Greeks, when she came of age, Frances Wright voyaged, not to Athens, but to the United States. Philosophical ideals were of the mind, divorced from time and place; government, freedom, oppression, economics, poverty, were immediate, tangible. And Europe was old, set in error. The west, ever the land of promise, beckoned—that land of changing institutions where improvement might yet be made. It was a young land, and much might be forgiven to youth.

Nor was Frances Wright disappointed, as were so many

Englishmen. From 1818 to 1821, with her sister Camilla she traveled through the north and west. Frontier brusqueness, boisterous equality, crude manners were only outward symbols of freedom; impassable roads, jolting stage-coaches, and dirty, insectious hotels were trivial matters that could be remedied soon. After the manner of all her countrymen, from Captain John Smith to the most recent traveler, she wrote a book on the subject: *Views of Society and Manners in America*, (1821). What Dickens, Marryat, Mrs. Trollope and others attacked, she defended: the discomforts, the lack of sophistication, indicated virility, as contrasted with European decadence. She was enthusiastic, uncritical: a de Tocqueville might be conscious of tyrannical possibilities in organized majorities and minorities; Miss Wright observed only prosperity and democracy.

America, in turn, was kind to her. In New York she made her debut as dramatist, with the production of *Altorf* in 1819. This tragedy, with its theme of Swiss independence, was fairly popular and won favorable comment from several critics. True, the prologue was doctored to titillate American historical pride, but the drama was well above the average play of that period. Although the blank verse is at times straggly, the speeches lengthy and rhetorical, the spirited action and theme of freedom were well suited to the country's sentiments, and a published version met with instantaneous success.

With the publication of *Views of Society and Manners in America*, Frances Wright achieved recognition in London. Not only Bentham and Place, but European radicals listened to her with interest. Her tall, rather masculine figure, her low, coarse voice commanded attention; her good sense held it. She was as radical as any of them, and perhaps as capable. More, the book won her the friendship of LaFayette, remembering America with more than faint nostalgia. She visited in his home, conversed with him by the hour, passed beyond him in passionate desire for freedom. Once he planned to adopt her, but his family objected, and the vague idea never materialized. As recompense, Frances and Camilla Wright were invited to accompany LaFayette on his official visit to the United States.

All her life Frances Wright lectured, wrote, and theorized on many subjects: philosophical speculation, economic and political reforms, woman's rights, free love, slavery, and education. Only once, for four brief years, did she desert the field of theory for the field of action. This abortive experiment was the Emancipating Labor Society at Nashoba, Tennessee.

On her first visit to this country, Miss Wright had avoided the south. She detested slavery so violently that she desired not even a glimpse of it. Now her attitude had changed, primarily through LaFayette. Many years before, he had attempted a gradual emancipation, a gradual education, of the slaves on his New Guinea plantation, an experiment soon ended by the outbreak of the French Revolution. Here was the germ of her plan:

She would establish, in the south, a colony to educate and to emancipate the slaves. But the work must be done gradually. Her proposed colony would be based on a system of cooperative labor, the slaves bought in whole families. Within five years, she figured, the labor of the slaves would pay for their original cost, including six per cent interest on the capital, and for their keep. In this period the older slaves could be taught a trade, taught at least to read, to figure, and to write; the children could be given a complete rudimentary education. Absolute and immediate abolition might be productive of great evil; this gradual emancipation, with careful teaching of the negroes, would benefit not only the slaves, but the white people. White immigrants would take the place of the negroes, who might be colonized in Haiti, Texas, or California, where they could work out a civilization of their own. Apparently it never occurred to Miss Wright that within a few years Texas and California would be integral parts of the United States, vital factors in the menacing issue of slavery.

Frances Wright sought advice from slave owners and abolitionists, visited the cooperative Rappite community at Harmonie, Indiana, and secured vast, though probably neither accurate nor definite, amounts of general information. Many men advised her: such diverse persons as Robert Owen, Benjamin Lundy, Chief Justice John Marshall, James Madison, and Thomas Jefferson. She even attempted to secure Jefferson's participation in the plan, but he declined, because of age.

The exact rules of the colony were to be purposely vague. Frances Wright planned for the colony to be the nucleus for complete abolition. She desired only a small colony, at the beginning; once proved successful, the experiment could be expanded easily. Lack of finances also compelled moderation: the cost of a settlement of one hundred slaves (the number planned) was estimated at \$41,000. She had only \$17,000 available.<sup>1</sup>

<sup>1</sup>Wright, Frances, "A Plan for the Gradual Abolition of Slavery in the United States Without Danger of Loss to Citizens of the South," in *New Harmony Gazette*, Oct. 1, 1825.

Local tradition has it that Miss Wright and General Lafayette, on the way from New Orleans, stopped at Memphis and together examined the site of the future home of the society. Like many traditions, this one is undoubtedly false. If General Lafayette had little to do with the location, Andrew Jackson had a great deal. In September, 1825, with an abolitionist named George Flower, Miss Wright came to Nashville in search of cotton lands in the upland cotton region of Tennessee. Jackson directed them to the newly acquired Indian territory around Memphis. Miss Wright purchased three hundred acres of Wolf River bottom lands in Shelby County, from William Lawrence,<sup>2</sup> and William A. Davis, friends and assignees of Andrew Jackson.

As the colony increased, additional lands were bought, until the estate contained 1,940 acres of land, thirteen miles from Memphis, on both sides of the Wolf River, and somewhat optimistically described by its owner as "two thousand acres of good and pleasant woodland, traversed by a clear and lovely stream."<sup>3</sup> This was a poetic rather than accurate picture of the turgid Wolf River and its malarial banks. Later, when the community failed to prosper, she described it more accurately as rolling and second-rate soil. The community was called *Nashoba*, the old Chickasaw name for wolf.

A few slaves were bought in Nashville, but friends had not been too generous with money. Miss Wright denied that Lafayette had contributed ten thousand dollars; the individuals had only their own funds to rely on.<sup>4</sup> Both slaves and provisions were unusually high, and the total expense for the first year must not exceed eight thousand dollars. Only ten slaves could be purchased the first year. And one thousand dollars was needed for a small store; she had no desire to pay retail profits. A New York Quaker, Jeremiah Thompson, was requested to make the purchases for her. That worthy man made her a present of the first goods, "in aid of thy good efforts." Miss Wright had not overlooked this possibility.<sup>5</sup>

In February, 1826, the colony began to function. Two double cabins were completed; Frances and Camilla Wright, George Flower and his family, took possession of one; five male and three female slaves the other. Soon the white people were joined by James Richardson, a Scot who lived in Memphis, and Richeson Whitby, recently a resident of New Harmony.

<sup>2</sup>Surveyor of the site of Memphis.

<sup>3</sup>*Genius of Universal Emancipation*, April 1, 1826.

<sup>4</sup>*Genius of Universal Emancipation*, Dec. 12, 1825.

<sup>5</sup>Waterman, W. H., *Frances Wright*, 1924, pp. 102-4.

That spring additional cabins were built, a five-acre orchard begun, and fifteen acres of corn and two of cotton planted. Clearing bottom lands, struggling with matted underbrush and rotting stumps, is arduous work. Frances Wright, over-enthusiastic, toiled like a man, working with the slaves from morning until night. The result was a severe attack of malaria. After a serious illness that refused to go away entirely, she was forced to return to the healthier climate of New Harmony.<sup>6</sup>

Then came the slow, hot days of summer, when slaves loafed on the job, and masters quarreled among themselves. With the owner away, no single person was in control. Somehow a wretched crop was harvested, but little profit came from it. Camilla Wright and Robert Jennings, an educational theorist from New Harmony, labored to teach both adults and children, with little success.

Miss Wright's continued absence led to a change in the control of the society. By a deed of trust, signed Dec. 17, 1826, Miss Wright changed the society from a personal property to a trust, deeded to ten trustees, in addition to herself: LaFayette, William McClure, Cadwallader Colden, Richeson Whitby, Robert Jennings, Robert Owen, his son, Robert Dale Owen, George Flower, James Richardson, and Camilla Wright. Membership in the community could be secured by white people and free negroes after a six months' trial residence, on a vote of the resident trustees. The slaves were also deeded to the trustees, on condition that they maintain a school for negro children and that, when their labor should have paid to Nashoba a capital of \$6,000, with six percent interest from January 1, 1827, with enough additional to defray the expense of colonization, the slaves should be emancipated and placed outside the limits of the United States. Thus Nashoba was reorganized upon a co-operative, community basis, and each entrant must be considered individually, without regard to husband, wife or children over fourteen years of age.<sup>7</sup>

Even these elaborate precautions did not satisfy George Flower. Remembering the queer visionaries of New Harmony, and interested in more immediate abolition, he soon withdrew.

The new ownership caused little change in the life of the community. The slaves continued to do the heavy labor, the cutting of trees and clearing of ground. They were put to constructing new houses for the additional slaves to be

<sup>6</sup>Wright, Frances, *Biography, Notes, and Political Letters*, 1844, pp. 29-30.

<sup>7</sup>Owen, Robert Dale, "Frances Wright, General Lafayette, and Mary Wollstonecraft Shelley," in *Atlantic Monthly*, October, 1873, pp. 448-49.

purchased in the spring. In her schoolroom Camilla Wright labored chiefly with children: she found the older slaves too shiftless and lazy, too incompetent mentally, to learn. And the school of industry prospered almost as little; accustomed always to having jobs given them, work carefully planned and supervised, the slaves refused to do work, even under the guise of schooling, on their own initiative.

In the spring of 1827 the New Harmony experiment was abandoned by Robert Owen. Frances Wright and Robert Dale Owen returned to Nashoba. Owen expected a miniature Utopia, "more cultivated and congenial associates than those among whom, for eighteen months past, I had been living." He found instead "second-rate land, and scarcely a hundred acres of it cleared; three or four squared log houses, and a few cabins for the slaves, the only buildings; slaves released from the fear of the lash, working indolently under the management of Whitby, whose education in an easy-going Shaker village had not at all fitted him for the post of plantation overseer."<sup>8</sup> Here was neither cultured companionship nor philosophical leisure; it was only a wretchedly miserable community that had little need of him, or he of it.

And Miss Wright remained ill. Europe beckoned to them both, though Frances hoped to secure money and white recruits while she was gone. In May of 1827 they left Nashoba. Camilla Wright, Whitby, and Richardson were left to run Nashoba, with its complement of thirty-odd slaves.

James Richardson, probably from necessity as much as from choice, was forced to assume the leadership. Camilla and Whitby were honest, conscientious people, but easy-going, talkers rather than doers. Also, they were in love. James Richardson was accustomed to the south, understood negroes, and began to discipline the happy-go-lucky slaves rigidly. A strange combination of sensualist and materialistic philosopher, he wanted to discipline them mentally.

Thus began the era in Nashoba when "met the slaves" became a daily routine. A bewildering procedure it must have been for the ignorant negroes, forced one moment to listen to stern laws laid down for them to follow, and the next moment to listen to long discourses on the rights of free love, or to the metaphysical differences between slave and free man. One selection from the "Nashoba Book," kept by James Richardson, was sent to Benjamin Lundy for publication in *The Genius of Universal Emancipation*. Probably no more provocative section exists in the entire book

<sup>8</sup>Owen, Robert Dale, *Threading My Way*, 1874, p. 303.



than this section given to the public, excerpts from which are given here:

Sunday Evening, May 20, 1827.

Camilla Wright and James Richardson, resident trustees. Met the slaves—Camilla Wright repeated to them how the work was to proceed in Mr. Whitby's absence. She also informed them that tomorrow the children, Delia, Lucy, Julia, and Alfred, will be taken altogether from under the management of the parents, and will be placed, until our school is organized, under the management of Mamselle Lolotte; that all communication between the parents and children shall, in future, be prevented, except such as may take place by permission, and in the presence of the manager of the children.

Saturday Evening, May 26, 1827.

Agreed, that the slaves shall not be allowed to receive money, clothing, food, or indeed anything whatever from any person resident at, or visiting this place, whether trustee, coadjutor, probationer, or stranger; and, that any article so received shall be returned to the giver in the presence of the slaves and trustees. If the giver be absent, the articles shall be destroyed by the receiver, in the presence of the trustees and the slaves.

Agreed, that the slaves shall not be permitted to eat elsewhere than at the public meals, excepting in cases of such sickness as may render confinement to their cabins necessary.

Sunday Evening, May 27, 1827.

Met the slaves—Camilla Wright informed them of the regulations agreed to yesterday.

Dilly having given utterance a day or two ago, to some grumbling at having so many mistresses, James Richardson stated to them, that it is very true they have many mistresses as well as masters, and that in all probability, they will soon have many more of both; as every free person who shall reside here, whether black, white or brown, will be, in some sort, their master or mistress; that this is just the difference between a free person and a slave; and that they can get rid of these masters and mistresses in no other way than by working out their freedom, when they will be transformed into masters and mistresses themselves, but that, in the meantime, they will gradually find out, that this multiplicity of superiors, so far from being a hardship, is of palpable advantage to them, in preventing them from being at the mercy of the temper of any one individual, and in rendering the concurrence of at least a majority of the resident trustees, an indispensable preliminary to the infliction of even the slightest possible punishment, for the greatest possible offense.

Friday, June 1, 1827.

Met the slaves at dinner time—Isabel had laid a complaint against Redrick, for coming during the night of Wednesday to her bedroom, uninvited, and endeavoring, without her consent, to take liberties with her person. Our views of the sexual relation had been repeatedly given to the slaves; Camilla Wright again stated it, and informed the slaves that, as the charge of Redrick, which he did not deny, was a gross infringement of that view, a repetition of such conduct, by him or by any other of the men, ought in her opinion to be punished by flogging. She repeated that we consider the proper basis of the sexual intercourse to be the unconstrained and unrestrained choice of

*both parties.* Nelly having requested a lock for the door of the room in which she and Isabel sleep, with the view of preventing the future uninvited entrance of any man, the lock was refused, as being, in its proposed use, inconsistent with the doctrines so explained; a doctrine which we are determined to enforce, and which will give to every woman a much greater security than any lock can possibly do.

Sunday Evening, June 10, 1827.

Met the slaves—Stated to them that, as some of them have on two occasions broken the swing by using it in a riotous manner, they shall no longer be permitted to use it at all—we added, that they cannot be allowed to partake with us of any such amusement, until their habits shall become more refined than at present.

Wednesday, June 13, 1827.

Willis having reported that Henry declined coultering today, on the plea of pain in his knee joint, to which he is subject—we met the slaves at breakfast time, and told them that, though we did not doubt that Henry's knee gave him more or less pain, we did not have sufficient confidence in his veracity to trust his statement regarding the degree of ailment; that we would, therefore, take their votes respecting the capacity of Henry to follow the oxen today. From this vote we stated that we would exclude Willis, because he now acts as director of their work, and Maria, because she now cohabits with Henry. There were ten votes, five each way. We gave our opinion as the casting vote, in support of Henry's capacity to coulter (plough). He was therefore ordered to attend to it.

Sunday Evening, June 17, 1827.

Met the slaves—James Richardson informed them that, last night, Mamselle Josephine [quadroon daughter of Mamselle Lolotte] and he began to live together; and he took this occasion of repeating to them our views on color, and on the sexual relation.<sup>9</sup>

Somehow the slaves failed to grasp these higher truths. The metaphysical security of unlocked doors, the added protection from numerous masters, eluded them. The germs of love and sex were proving troublesome, but the slaves were only bewildered by these large philosophical doctrines. Camilla herself proved incapable of following them, when talk became more than talk, and she and Whitby were married with all regularity and conventionality.

The publicity roused a hurricane. Free love and amalgamation of races were too much. Epithets like brothel became common; hot-headed southerners threatened fire and death. Only words came of it all. Safely married, Camilla Wright became more vigorous than ever in her denunciations of the marriage tie, declaring it a subtle and poisonous invention of the clergy. It was too much for the rank and file of Americans, but the theorists at Nashoba

<sup>9</sup>*Genius of Universal Emancipation*, July 28, 1827.

were overjoyed to return to the familiar battlefield of words, to neglect the stubborn and unfriendly soil.

One benefit resulted. Frances Wright, alarmed at so much unfavorable publicity, returned to the colony. On the voyage from England, however, she prepared a defense as inflammatory and violent as any previously issued. It was published without comment by a Memphis newspaper, among others, under the title: "Explanatory Notes, respecting the Nature and Object of the institution at Nashoba, and of the principles upon which it is founded."<sup>10</sup> She denied nothing. But these were her personal views; the trustees were not responsible for the principles that governed Nashoba. That government desired above all things complete freedom and happiness. In society they had little chance for either, under the tyranny of law. The United States offered political liberty, but that was less than half. Moral liberty could be found *nowhere*. No one could indulge in liberty of speech without incurring popular prejudice. Equality of intellect was never recognized, and an unequal division of labor doomed every person to a one-sided development. Yet "liberty without equality, what is it but a chimera?" She had sought such liberty, but had found it not. And Nashoba, at least, should attempt to prove that it could exist.

In the case of women, this tyranny was increased many times. The tyranny of matrimonial law, with its foundation in religious prejudice, hurt chiefly the most cultivated and talented women, who "shrink equally from the servitude of marriage and the opprobrium stamped upon unlegalized connections." Society must adopt a new attitude toward unmarried mothers.

These views were radical enough, but Miss Wright added a section in which she advocated the amalgamation of races. Emancipation could only be progressive, and with it would come amalgamation. Many southerners had dreamed of emancipation; some few had organized colonization societies or freed their slaves. So long as Miss Wright walked with care, they blessed her with words in lieu of money, but without forgetting that they were children playing on the edge of a volcano. Her defense succeeded only in alienating more the friends who had once supported her.

The *Notes* also announced several changes that were to be made in the government, as well as in the policy, of Nashoba. No more slaves would be bought, though planters who became members could bring in slaves, and free citi-

<sup>10</sup>Memphis *Advocate and Western-District Intelligencer*, Jan. 26, 1828; signed at Sea, 4th Dec., 1827.

zens of color were invited to become members, at a cost of two hundred dollars per year. This sum might be lessened to those capable of useful labor. Children would be taken in the school for one hundred dollars per year. All persons in sympathy with the colony were requested to send gifts, or to become members. The moral requisites for membership were few: an amiable and willing disposition, simple tastes, a high tone of moral feeling, and a liberal tone of thinking. Organized religion was to have no place in the colony, and religious doctrines would not be taught in the school. For religion would be substituted perfect liberty of speech and thought, and moral practice that had in view only human happiness.<sup>11</sup>

With these high but impracticable doctrines, Miss Wright returned to Nashoba, early in 1828. She brought one notable recruit, Mrs. Trollope. However much Mrs. Trollope may have approved these theories, one glance at Nashoba was sufficient to convince her that more than theory was needed for happiness. Her picture of Nashoba may be somewhat prejudiced, as she expected English comforts in this new land, but the description is undoubtedly authentic:

It must have been some feeling equally powerful [religious fanaticism] which enabled Miss Wright, accustomed to all the comfort and refinement of Europe, to imagine not only that she herself could exist in this wilderness, but that her European friends could enter there, and not feel dismayed at the savage aspect of the scene. Each building in the settlement consisted of two large rooms, furnished in the most simple manner; nor had they as yet collected round them any of those minor comforts which ordinary minds class among the necessities of life. But in this our philosophical friend seemed to see no evil; nor was there any mixture of affectation in this indifference; it was a circumstance really and truly beneath her notice. Her whole heart and soul were occupied by the hope of raising the African to the level of European intellect; and even now, that I have seen this favourite fabric of her imagination fall to pieces beneath her feet, I cannot recall the self-devotion with which she gave herself to it without admiration.

The only white persons we found at Nashoba were my amiable friend, Mrs. W[hitby], the sister of Miss Wright, and her husband. I think they had between thirty and forty slaves, including children; but when I was there no school had been established.<sup>12</sup> Books and other materials for the great experiment had been collected, and one or two professors engaged, but nothing was yet organized. I found my friend, Mrs. W., in very bad health, which she confessed she attributed to the climate.<sup>13</sup>

<sup>11</sup>*Idem.*

<sup>12</sup>Apparently the conduct of the school was spasmodic. Robert Jennings, before his departure, and Camilla Wright, had given some instruction. Her bad health, mentioned above, may have caused its termination.

<sup>13</sup>Trollope, Mrs. F. M., *Domestic Manners of the Americans*, 1832, pp. 44-45.

Probably any person accustomed to frontier life would have considered Nashoba fairly comfortable, and well equipped with the necessities of life. But it had made little progress, if any. Mrs. Trollope's description of the buildings and slaves would lead one to believe that few changes had been made since the first flush of enthusiasm. Disintegration came rapidly. James Richardson had gone before Miss Wright returned; Mrs. Trollope tarried only ten days; Robert Dale Owen only a few days longer. Richeson Whitby and his wife also left for New Harmony. After a spring alone at Nashoba, Frances Wright left the property and slaves in the charge of an overseer, and departed in June for New Harmony.<sup>14</sup>

In that haven one could edit a newspaper in peace, could write of Utopian worlds without the constant reminder of one little Utopia's failure. For eighteen months the experiment received little attention, dragged to an end in poverty and misery. Memphians remembered her with some pity and affection; James A. Davis, years later, wrote of Nashoba that it was one of the grandest schemes ever conceived by mortal man or woman.<sup>15</sup> But somewhere Miss Wright had lost interest in the practical execution of her plan for gradual emancipation, and prepared to end the Nashoba experiment. In January, 1830, the remaining slaves were taken to Haiti, and placed under the protection of President Boyer. Robert Dale Owen, so long yet so casually connected with Nashoba, wrote of its end:

I have in my possession the manifest of the brig—appropriately enough it was the John Quincy Adams, of Boston—in which the little colony was conveyed to Hayti. It shows that by that act, thirteen adults and eighteen children—thirty-one souls in all—liberated from slavery, were transported to a land of freedom. I have also the letter of the president of Hayti (Boyer), dated June 15, 1829, in which, after eulogizing Miss Wright's philanthropic intentions, he offers to all persons of African blood whom she may bring to the island an assured asylum, adding that they will be placed as "cultivators" on land belonging to kind and trustworthy persons, where they will find homes, and receive what the law in such cases guarantees to all Haytien citizens, half the proceeds of their labor; all which he faithfully carried out.

Miss Wright herself accompanied these people and saw them satisfactorily settled. The experiment thus brought to a close cost her some sixteen thousand dollars, more than half her property.<sup>16</sup>

<sup>14</sup>Waterman, *Op. Cit.*, 130.

<sup>15</sup>Davis, James A., *History of the City of Memphis*, 1873, p. 275.

<sup>16</sup>Owen, Robert Dale, "An Earnest Sowing of Wild Oats," in *Atlantic Monthly*, October, 1873, pp. 448-449.

The experiment had failed in every attempt that it had made. Frances Wright wrote that "for the first time she bowed her head in humility before the omnipotence of collective humanity."<sup>17</sup> She died in 1852, before slavery ended in war. In the intervening years she would never again attempt to put into operation any of her radical visions. These visions might one day save a world, if others would only superintend their execution. Words were safer, less troublesome. For over twenty years, after Nashoba, she edited, wrote, and lectured, especially on feminism; married, and was unhappy in her marriage; received both adulation and scorn. But always she was content to point the way. More practical, pedestrian men must survey the route and smooth the road.

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<sup>17</sup>Wright, Frances, *Biography*, p. 32.

## DEMOCRACY'S TWO-THIRDS RULE ROUNDS OUT A CENTURY

BY WM. E. BEARD

On a May morning just a hundred years ago two Tennesseans, both best known to history through their close association with Gen. Andrew Jackson, sat in a room in the White House and discussed the approaching Democratic National Convention—the first—soon to be held in Baltimore.

The older of the two was Judge John Overton, whose boast might have been, had he been given to boasting, that he was the first to see in the defender of New Orleans Presidential possibilities and thereafter to have pushed studiously those possibilities upon the public notice with all the cleverness of his astute mind. He had reached backwood Nashville during the same month, forty-odd years before, that Jackson had appeared there, and ever since the two had been the closest friends. His companion was William B. Lewis, Second Auditor of the Treasury by appointment of Jackson, and an active member of the so-called Kitchen Cabinet.

"Well, Lewis," said the Judge, laying aside his pen, "if we should not be able to nominate Mr. Van Buren for the Vice-Presidency, whom next shall we take?"

"If we cannot get him," answered Major Lewis, with some feeling, "I care not whom you select."

"Come, come," said the Judge, one of the ablest lawyers of his time back home in Tennessee, "That's not like a general—an able commander always examines his ground well before he goes into action, with an eye to defeat as well as victory, so that in case it becomes necessary he may make a safe retreat."

"But, Judge," replied the other, "there are times and occasions when like Cortez, a commander should burn his ships with a view of cutting off all means of retreat."

The senior party to the dialogue commented on this statement more sharply, declaring that Major Lewis had not spoken like a man of sense. Pressed regarding whom he considered an available alternative candidate, the Judge mentioned a venerated Baltimore citizen as the best man to take up, should it not be possible to nominate Martin Van Buren.

Disconcerted by his fellow Tennessean's remarks, though by no means converted, Major Lewis proceeded to sound others of the Jackson circle concerning the possibilities of the Baltimore convention. He was himself an ardent Van Buren adherent and what he learned from his morning's inquiries was not reassuring. He found, much to his surprise, that there was a decided question in the minds of some regarding Van Buren's acceptability as a Vice-Presidential nominee. One view was that the nomination would reopen floodgates of abuse upon Van Buren; another was that putting him on the ticket might endanger even Jackson's success.

One result of Major Lewis' investigations was a letter to a Tennessean, then in Baltimore, emphasizing General Jackson's desire to "sink or swim" with Van Buren. Another result may have been the Democratic two-thirds rule, the centenary of which was marked by the convention which met in Chicago on June 27 last.

The first Democratic National Convention was not called for the purpose of selecting the party nominee for President. A nomination for President by the Democratic party in 1832 was not necessary; Jackson was not only in the White House but was very firmly seated in the party saddle.

General Jackson, elected President in 1828, had been in the White House a few days less than thirteen months when the Democratic members of the Pennsylvania Legislature, meeting in Harrisburg with Senator John Brown presiding, fired the opening gun of the 1832 Presidential campaign by adopting a resolution, placing the name of the indomitable Tennessean before the country as a candidate for re-election.

The action of the Pennsylvania Democrats had echoes in various parts of the Union, Old Hickory's position as his party's Presidential candidate being conclusively fixed months before the meeting of the Baltimore convention.

Martin Van Buren of New York, as is well known, was General Jackson's choice as a running mate in the 1832 campaign. The Sage of Kinderhook had thoroughly established himself in the confidence of the General. He had served as Secretary of State in Jackson's first Cabinet until its disruption because of the Eaton scandal. He had then been appointed Minister to the Court of St. James's, but the opposition in the Senate, led by Calhoun, had rejected the nomination. Hoping to destroy Van Buren politically the



Whereas, in the opinion of this meeting, the policy and measures of the present administration of the General Government accord with the true interests of the country, and are such as the friends of the present venerable and distinguished individual, placed at the head of the Government by the free and voluntary suffrages of the people, anticipated and predicted in the event of his success, and are such as are not only approved by his former friends, but by many who opposed his election.

And whereas, Pennsylvania was the first state in the Union to present the name of Andrew Jackson to the American people, as a candidate for the Presidency, it is right that she should be among the first to express satisfaction at the prosperity and success of his administration.

Therefore, Be it resolved, That in the opinion of this meeting, the present administration of the General Government meets the cordial and decided approbation of the Democratic party, and of the people of Pennsylvania.

Resolved, That in the opinion of this meeting the unanimity and harmony of the great Democratic party of the Union will be greatly promoted by again placing the name of Andrew Jackson before the people as a candidate for re-election.—Adopted at Harrisburg, Pa., March 31, 1830.

opposition welded Jackson's interest to him, and made him a potential candidate for Vice-President.

But before this development, other movements directed toward the second place on the Democratic ticket had been put in motion. Louis McLane, according to Mr. Van Buren, aspired to succeed General Jackson, and had plans of his own regarding the Vice-Presidency. Gov. John Forsyth of Georgia, who had concluded the cession of Florida by Spain, desired the nomination, and Col. Richard M. Johnson, Kentucky's hero of the battle of the Thames, was campaigning in the West for support. Others put forward in their respective states included Judge William Wilkins of Pennsylvania; Mahlon Dickerson, then a United States Senator from New Jersey, and Philip Pendleton Barbour of Virginia, a former Speaker of the House. The town of Lancaster, Pa., on March 16, 1831, presented its "favorite son," James Buchanan, the future President, for the honor.

William B. Lewis, the same who was later to have the discomforting conversation with Judge John Overton in the White House, claimed to have originated the idea of holding a national convention to select the nominee for Vice-President.

Writing to Van Buren in 1859, while the New Yorker was at work on the "Autobiography," which was not to appear until sixty years later, Major Lewis outlined the

conditions which were responsible for the original convention.

Amos Kendall, another member of the Kitchen Cabinet, then in Concord, N. H., visiting Isaac Hill, later Governor of New Hampshire, had written to Lewis in the interest of Judge Barbour of Virginia.

"Seeing that this question (the Vice-Presidential nomination)," Major Lewis wrote Van Buren, "was likely to give much trouble and unless satisfactorily arranged in some way, and that too without much delay, might become dangerous to the very existence of our party, in my reply to Mr. Kendall's letter I suggested to him the expediency, indeed the absolute necessity of advising our friends everywhere to get up a national convention, to convene at some convenient point, for the purpose of selecting some suitable and proper person to be placed upon the ticket with General Jackson as a candidate for the Vice-Presidency.

"As the Legislature of New Hampshire was then in session, I begged him with Governor Hill's assistance to get it, if possible, to adopt a resolution recommending to our friends in every state the getting up of such a convention."

Maine—John D. McCrate.  
 New Hampshire—John Langdon Elwyn.  
 Vermont—Stephen Haight.  
 Massachusetts—Ebenezer Seaver.  
 Rhode Island—Elisha R. Potter.  
 Connecticut—John M. Niles.  
 New York—Azariah C. Flagg.  
 New Jersey—Edward Condict.  
 Delaware—George Read.  
 Pennsylvania—Simon Cameron.  
 Maryland—Upton S. Heath.  
 Virginia—Philip N. Nicholas.  
 North Carolina—W. P. Williams.  
 South Carolina—Daniel Elliot Huger.  
 Georgia—Wylie Thompson.  
 Alabama—Clement C. Clay.  
 Louisiana—Henry Carleton.  
 Mississippi—J. C. Wilkins.  
 Tennessee—John H. Eaton.  
 Kentucky—Samuel Davis.  
 Ohio—John K. Keith.  
 Indiana—Samuel Milroy.  
 Illinois—John M. Robinson.

#### THE FIRST CREDENTIALS COMMITTEE

The Democrats of the New Hampshire Legislature readily accepted the Lewis suggestion and adopted a resolution calling for a Democratic National Convention to nominate

the candidate for Vice-President. The idea, according to New Hampshire's spokesman in the convention when it met, "found favor in nearly all, and perhaps all the states of the Union."

The first Democratic National Convention assembled Monday, May 21, 1832, in "the saloon of the Athenaeum" in Baltimore, a favorite city for party gatherings in the old days. Judge John Overton, Jackson's friend, had journeyed to Baltimore to preside, but when the time came he was too ill to attend the convention. The announcement of his indisposition was communicated to the assembled delegates—nearly 300 in number—by Gen. John H. Eaton, Jackson's late Secretary of War, whose marriage to the Widow Timberlake on New Year's, 1829, had furnished Washington society its most famous morsel of gossip. Eaton, who headed Tennessee's delegation in the convention, suggested that Gen. Robert Lucas, soon to become the Governor of Ohio and destined to be Iowa's first territorial Governor, be requested to preside. Judge Overton later presented General Lucas a cane which commemorated the latter's service as chairman. John A. Dix of New York was made temporary secretary. Further along in the proceedings this organization was made permanent with the addition of two more secretaries and vice-presidents.

The opening day of the convention was not eventful. Two committees were provided for, each to consist of a representative from each state; one to ascertain and report the names of the delegates present, and the other to select proper officers and to point out a suitable mode of procedure.

A question brought before the convention was whether a delegation from the District of Columbia should be allowed to vote. Subsequently the convention denied the District a voice, the vote on the motion being 126 ayes and 153 noes.

Charles Carroll of Carrollton, the last of the Signers of the Declaration of Independence, still lived and the convention voted him an invitation to sit with the delegates during their deliberations. The condition of his health, however, would not permit him to accept the courtesy, it developed, and the final act of the convention was to pay a formal visit to the venerable patriot, who was fated not to survive the year.

For its second day's deliberations, the convention, because of the crowd, transferred its scene of operations to

the Universalist Church in St. Paul's Lane, two blocks distant from the Athenaeum.

Spokesman for the committee on organization and procedure was William Rufus King, then a Senator from Alabama, later to become himself a Vice-President, the first and last to be sworn in on foreign soil.

Resolved, That the delegates from each state be entitled to as many votes in the selection of the candidates for the offices of Vice-President of the United States as such state may be entitled to in the new apportionment bill, recently passed by the House of Representatives; and that two-thirds of the whole number be required to constitute a majority.—Reported by the committee on May 22, 1832.

### THE DEMOCRATIC TWO-THIRD'S RULE

Three resolutions were reported by the committee, the most interesting of course being that embodying the two-thirds rule.

A second resolution read: "Resolved, That in taking the vote for Vice-President, the delegates from each state shall designate a member or members to nominate the person to be selected."

The third resolution recommended that the convention sessions be opened with prayer by members of the Baltimore clergy.

A motion was made that the first resolution be amended to make a simple majority instead of the two-thirds majority sufficient for a nomination. The motion was lost. The vote was then taken on the several resolutions and they were adopted.

The morning witnessed the first and only ballot on the nomination for Vice-President. Before it was taken, King had two other resolutions to offer. One provided that in voting on the nomination, the authorized person should designate the name of the person to be voted for by the delegates from his state. This was adopted. The other resolution providing for a committee to issue a formal address on behalf of the convention was not adopted until later.

These preliminaries out of the way, Mr. King moved the roll call on the nomination.

Three candidates were voted for: Martin Van Buren; Col. Richard M. Johnson, of Kentucky, and Judge Barbour, of Virginia. The roll call resulted—

	<i>Van Buren</i>	<i>Barbour</i>	<i>Johnson</i>
Maine .....	10	..	..
New Hampshire .....	7	..	..
Massachusetts .....	14	..	..
Rhode Island .....	4	..	..
Connecticut .....	8	..	..
Vermont .....	7	..	..
New York .....	42	..	..
New Jersey .....	8	..	..
Pennsylvania .....	30	..	..
Delaware .....	3	..	..
Maryland .....	7	..	..
Virginia .....	..	23	..
North Carolina .....	9	6	..
South Carolina .....	..	11	..
Georgia .....	11	..	..
Alabama .....	1	6	..
Mississippi .....	4	..	..
Louisiana .....	5	..	..
Tennessee .....	15	..	..
Kentucky .....	..	..	15
Ohio .....	21	..	..
Indiana .....	..	..	9
Illinois .....	2	..	2
	<hr/> 208	<hr/> 49	<hr/> 26

Later on several of the delegations, voting otherwise than for Van Buren, announced their concurrence in the nomination. Not so Henry A. Wise, a delegate from the Old Dominion. The truculent Virginian has recorded that he announced his purpose to support Judge Barbour instead of the choice of the convention.

At the afternoon session, Mr. King called up the resolution providing for a committee on address. General Dix represented New York on this committee and Clement C. Clay, Alabama. Other notable names on the committee included Joel R. Poinsett of South Carolina; Powhatan Ellis of Mississippi; Andrew T. Judson of Connecticut; R. T. Lytle of Ohio, and J. M. Wayne, of Georgia,—soon to become a member of the United States Supreme Court. Speaking for the committee when it reported the next day, recommending otherwise than the proposed public address, was William S. Archer of Virginia, who later figured in political history as a Whig Senator.

The convention by resolution, offered by Clay of Alabama, concurred in the numerous nominations of General Jackson for the Presidency:

"Resolved, That the convention repose the highest confidence in the purity, patriotism and talents of Andrew Jackson, and that we most cordially concur in the repeated nominations which he has received in various parts of the Union, as a candidate for re-election to the office which he now fills with so much honor to himself and usefulness to his country."

The Baltimore convention ran into the third day, but the delegates had written it into the nation's political history on May 22, when they adopted the two-thirds majority rule, a rule which has survived a century despite the most determined assaults upon it. The operation of the rule at another Baltimore convention, in 1844, cost Van Buren the nomination and made possible the selection of James K. Polk as standard-bearer. Had a simple majority vote sufficed in 1860, Stephen A. Douglas would have become the nominee at Charleston instead of by the much reduced Baltimore convention. As a result of the two-thirds rule in the Baltimore convention of 1912, Woodrow Wilson, instead of Champ Clark, was the President of the United States in one of the most critical periods of world history.

Why was the rule adopted?

The explanation usually given is that a nomination made by a majority so impressive would carry with it greater authority with the people.

On the floor of the convention, speaking in behalf of the proposed rule, Mr. King has been quoted as saying: "As a nomination by two-thirds of the whole body shows a more general concurrence of sentiment in favor of a particular individual, would carry with it a greater moral weight and be more favorably received than one made by a smaller number, I sincerely hope the resolution will be adopted."

About the time the convention of 1832 met there was a very good reason for desiring the nomination of Van Buren by a vote of conspicuous proportions, if Jackson party newspaper charges are to be relied upon. They were charging that the "new coalition" (Calhoun and Clay) was secretly at work to get a multiplicity of candidates in the field, hoping thus to have the race for Vice-President thrown into the Senate for determination and there secure the election of John Sergeant of Pennsylvania, the Whig candidate.

It is a coincidence, and quite as singular as all such are, that each of the three instances in the history of Democratic National Conventions in which the two-thirds rule has figured conspicuously, that is in the conventions of 1844, 1860 and 1912, has been followed by war. The Mexican War was an occurrence of the administration of James K. Polk in the Forties; the War between the States followed the 1860 convention fiasco at Charleston, and during the first term of Woodrow Wilson, beneficiary of the rule in 1912, the World War began to drench civilization with blood. But of course these were coincidences and that is all.

## TWO-THIRDS RULE AND WAR

Years ago the two-thirds rule found a defender in James Buchanan, the fifteenth President, and incidentally a "favorite son" candidate in the 1832 Vice-Presidential preliminaries.

"Until 1825," wrote Mr. Buchanan in 1866, "nominations had been made by Congressional caucus. In these, none participated except Senators from Democratic states and Representatives from Democratic Congressional districts. The simple majority rule governed in these caucuses, because it was morally certain that, composed as they were, no candidate could be selected against the will of the Democratic states on whom his election depended. But when a change was made to national conventions, it was at once perceived that if a mere majority could nominate, then the delegates from anti-Democratic states might be mainly instrumental in nominating a candidate for whom they could not give a single electoral vote. Whilst it would have been harsh and inexpedient to exclude these states from the convention altogether, it would have been unjust to confer on them a controlling power over the nomination. To compromise this difficulty, the two-thirds rule was adopted. Under its operation it would be impossible that a candidate could be selected, without the votes of a simple majority of the delegates from the Democratic states.

Mr. Buchanan illustrated the idea by the vote for Stephen A. Douglas at the 1860 convention at Charleston, before the adjournment to Baltimore. On five of the fifty-seven ballots at Charleston, the Little Giant received a majority of the 303 votes. "Of these votes," Mr. Buchanan recorded, "at least 110 were given by delegates from states, which, judged from their antecedents, could not give him or any Democratic candidate a single electoral vote."

The defense of the rule, though coming from Douglas' political enemy, sounds plausible enough, but almost too farseeing for pioneer builders of a great piece of party machinery.

One rather wonders if the two-thirds requirement in its original conception might not have been an exemplification of Major Lewis' idea of "burning the ships." In the Baltimore convention of 1832 a matter of ninety-five votes would have prevented the nomination of any other candidate than Martin Van Buren, and of these ninety-five, New York, his home state, could supply forty-two.

The Banner.

Nashville, Tenn.

## COLONEL RICHARD SPARKS—THE WHITE INDIAN

BY LEOTA S. DRIVER.

The writer of fiction creates his hero; the historian finds his protagonist moulded ready to hand. The American historian has no age of buried heroes to recall, but instead, he finds the fearlessness of crusaders who, with powder-horn, rifle, and axe, fought and conquered a relentless enemy. Thousands of those who gave their lives in the conquest of the frontier have left no names on the pages of history. But an impressive memorial, standing upon a foundation reared by their daring, remains in commemoration of their efforts. A new country has flourished—America.

Danger and romance blended in that frontier life. A glamor surrounds it for those who now look back upon the early, strenuous days of our country. One finds hints of intriguing careers, of the adventures of half-forgotten frontiersmen who refused to be overpowered by privation and peril. A bit of reliable information remains here, another item there, but in many instances, date and place of birth or details of family history—those matters which the present generation regards as incidentals—are lacking. Tradition combines with fact in a resumé of the life course of many of those men who furthered westward extension.

Among those neglected pioneers who helped to determine the future of the Old West was Richard Sparks, a man whose career should delight the heart of any romantically inclined portrayer of character. The qualities and experiences traditionally ascribed to the hero of fiction were actualities in his life. A poor unknown boy adopted by his captors and reared to manhood among savage enemies, a captive finally returned to his own people whom he had forgotten,—such was the life history of Dick Sparks.

### CAPTURED BY THE INDIANS

Richard Sparks was born sometime about the year of 1760.<sup>1</sup> His first home was a frontier log cabin in western Pennsylvania, but his sojourn there was brief. At the age

<sup>1</sup>*Draper Manuscripts, Draper's Notes*, XXX, 329. The account is based on information supplied by Colonel George Sevier. Colonel Sevier said that Colonel Sparks was born about 1751, or perhaps one to four years earlier, or even later. Later dates and ages given seem to suggest about 1760 as the more probable.



of three or four, he toddled out to play, and a band of skulking Shawnees seized him.<sup>2</sup> For some unknown reason he escaped the fate usually meted out to an Indian captive. Perhaps at that early age he already displayed those traits of daring and fearlessness which characterized his later life.

Whatever the cause, the sturdy youngster won the hearts of his captors. They restrained their blood-thirsty tomahawks and carried away their prisoner to the Shawnee towns on the Scioto.<sup>3</sup> There he attracted the attention of a warrior—one tradition says of a chief—who adopted the little Pennsylvanian as his son. He was no longer known as Dick; he became Shantunte, brother of two young Indian braves destined for lasting fame in history. The Shawnee who recognized traits worthy of an Indian warrior's son in in four-year-old Dickie Sparks was the father of Tecumseh and The Prophet.<sup>4</sup> These two whose enemy he later became were the playmates of his childhood.

#### THE WHITE INDIAN

Years passed, and soon all memory of the frontier cabin left Shantunte's mind. He forgot his own people, language, and even his name. He learned Indian speech, cunning, modes of warfare, and disdain for fear. Only his complexion distinguished him from his Indian playmates. He was contented. Deeds of prowess brought recognition; he became Chief Shantunte.

Dickie Sparks's happiness had been rudely interrupted. At the age of four, he had found himself among a strange people who spoke an incomprehensible tongue. Chief Shantunte fared no better. When in his teens, he was torn again from familiar surroundings. After the Shawnees suffered defeat at the battle of Point Pleasant in 1774, they sued for peace and laid themselves on Governor Dunmore's mercy. The stipulation in his terms significant in the life story of Chief Shantunte required the return of all property and prisoners which the Indians had taken from the

<sup>2</sup>*Idem. Cf., Ibid., p. 330. Note.* Colonel George Wilson thought that Sparks was captured near Pittsburgh when he was four or five years old. Cf. Claiborne, J. F. H.: *Mississippi as a Province, Territory, and State*, Jackson, 1880, I, 221. Mr. Claiborne says that Sparks was captured when he was about five by the Shawnees in one of their raids into Kentucky. This must necessarily be an erroneous statement, for Kentucky was not settled until some years after his capture. Cf. Robert, Otto A., *A History of Muhlenburg County, Kentucky*, Louisville, 1913, p. xv. Daniel Boone made his first trip to Kentucky in 1769. In 1775 the Transylvania Company appeared on the scene with Daniel Boone as guide and pathfinder. The first permanent white settlement in the State was established at Harrodstown in 1774. Kentucky was thus settled about the time of Sparks's return from captivity.

<sup>3</sup>*The Revolution on the Upper Ohio, 1775-1777*, ed. Reuben Thwaites and Louise Kellogg. Madison, 1908, p. 57, note. The towns of the Shawnees were situated on the Scioto at this time.

<sup>4</sup>*Draper, op. cit., p. 329.*

settlers.<sup>5</sup> The young chief rebelled at the idea of leaving those whom he regarded as his own people. When the time came for his return to the whites, he hid himself. Force alone compelled him a second time to begin life among a nation whose language and customs seemed strange and incomprehensible.<sup>6</sup>

### THE RETURNED CAPTIVE

Many who had felt the relentless cruelty of the savage enemy must have studied the features of the returned captives, hoping to find someone whose fate had remained a mystery. Among them was a mother who years before had lost a little boy aged four. It required keen eyes to recognize in the tall, bronzed youth the person of four-year-old Dickie Sparks. But a mother's eyes are keen. She never forgets any feature of her child. This mother noticed a mark which her little boy had carried, and she claimed him as her own.<sup>7</sup> Chief Shantunte could not understand the words spoken to him, but he did observe the tears in the eyes of his mother and sisters. Tears suggested only one thing to his mind. He had seen squaws cry sometimes when the warriors burned their prisoners at the stake. This, he concluded, was to be his fate.<sup>8</sup>

### ACTIVITIES OF YOUTH

The activities of Richard Sparks during the years immediately after his return from captivity are not fully recorded. Hints remain the only evidences of his interests, but they suggest that he was fearless and adventurous by nature. The years among the Indians had developed in him the cunning of a savage. These qualifications fitted him for scout duty, and that, seemingly, became his favorite occupation. He and Sam Brady frequently associated as scouts during those years. In Indian disguise they partici-

<sup>5</sup>Letter, Col. Wm. Christian to Col. Wm. Preston, November 8, 1774, in *Documentary History of Dunmore's War, 1774*, ed. Reuben Thwaites and Louise Kellog. Madison, 1905, pp. 301-308. Cf. Letter, Arthur St. Clair to the Governor of Pennsylvania, December 4, 1774, in *American Archives, Fourth Series*, I, 1014: "The war between the Indians and Virginians is over. Peace is certainly made with the Shawnees, one condition of which is the return of all property and prisoners taken from the white people."

<sup>6</sup>*Draper Manuscripts, Draper's Notes*, XXX, 329. Col. George Sevier thought that Sparks remained with the Indians about nine years and was returned in 1774, when the Indians had to give up their prisoners. He thought that Sparks was about fourteen years of age at that time. *Ibid.*, p. 330. Col. George Wilson thought Sparks was seventeen or eighteen when he was returned. Contradictory statements have been made by those who have attempted to sketch Sparks's life. Claiborne, *op. cit.*, p. 221, says that Sparks remained with the Indians until after Wayne's victory in 1794, an impossibility, for he was a captain in Wayne's army. Heiskell, S. G.: *Andrew Jackson and Early Tennessee History*. Nashville, 1920, I, 345. Mr. Heiskell says that Sparks was captured by Indians when he was four, and that he remained with them until he was sixteen. This author refrains from hazarding dates.

<sup>7</sup>Heiskell, *op. cit.*, p. 345.

<sup>8</sup>*Draper Manuscripts, Draper's Notes*, XXX, 329-330.

pated in the defeat of the Shawnees and their allies below Wheeling in 1777.<sup>9</sup> Sparks was also a member of the expedition against the Wyandots and the Delewares led by Colonel William Crawford in 1782.<sup>10</sup> Whether he again scouted in Indian disguise at that time is not known.<sup>11</sup>

Finally, the young frontiersman drifted to the Kentucky country. From there he went into East Tennessee, and to the settlements on the Holston and the Nolachucky rivers, lured by the fame of the Indian fighter, John Sevier. No one recorded the date of his arrival. One tradition says that when he first came to Plum Grove only one member of the Sevier household could communicate with him, Ruth, the second daughter of John and Catherine Sherrill Sevier. If this tradition be true, he must have visited the Holston settlement soon after his return from the Shawnees.<sup>12</sup>

#### ROMANCE IN SEVIER FAMILY

Sevier took an interest in the newcomer and his romantic career. He looked like an Indian warrior: tall, athletic, and active, with sparkling eyes and bold presence. Although he was wholly uneducated, his conversation was impressive and fascinating. A natural affinity existed between this boy who had spent much of his life in a wigwam and the Indian fighter of Nolachucky.

Ruth also was interested in all things relating to Indian life. In childhood she had learned to speak the Indian tongue and could converse in several dialects with the warriors of the various tribes. Her father once had made prisoners of a number of braves. When no other disposal seemed expedient, he took them to Plum Grove, where they so thoroughly enjoyed the plantation that they refused to leave. Little Ruth became the object of their adoration. They taught her all they knew of woodcraft and legend. Finally they dubbed her "Chucky's Rutha," Chucky being their name for Sevier, and Rutha, his pet name for a favorite daughter. Before they at last departed, they prophesied that Ruth would become a princess: "Chuckas Rutha make chief's wife some day." She would become one of their people, they said.<sup>13</sup> Ruth's interest and sympathy must

<sup>9</sup>*Ibid.*, p. 302. Withers, A. S.: *Chronicles of Border Warfare*, ed. Reuben Thwaites. Cincinnati, 1895, pp. 219-228, tells of the siege of Fort Henry and of the activities of relief men and scouts. Names of these are not mentioned.

<sup>10</sup>*Draper Manuscripts, Draper's Notes*, XXX, 303.

<sup>11</sup>Letter, Col. Sparks to Gov. W. C. C. Claiborne, December 21, 1810, in *Official Letter Book of W. C. C. Claiborne*, ed. Dunbar Rowland. Jackson, 1917. Sparks says that he has given thirty years of active service for the welfare of his country. By this statement he would have been actively engaged in 1780.

<sup>12</sup>Armstrong, Zella, *Notable Southern Families*. Chattanooga, 1926, IV, 267.

<sup>13</sup>*Ibid.* Cf. *Our Western Border*, compiled and written by Charles McKnight. Philadelphia, 1886, p. 717.

have found much satisfaction in her father's new guest; he, doubtless, was over-joyed to converse again in a language which had become native to him.

#### RETURN TO PENNSYLVANIA

The extent of Dick's stay in Tennessee is not known. One would like to think of him as the scout for Sevier on some of his campaigns, but there is no indication of such an occurrence. Although he returned to Pennsylvania, the young chief was not forgotten by the friends on the Holston. The "large, rawboned, active, bold man, a dead rifle shot,"<sup>14</sup> to Sevier seemed intended for only one vocation, that of a soldier. It was through the efforts of Sevier, then a Congressman, that Richard Sparks received a commission as Captain of the Pennsylvania Levies in 1791.<sup>15</sup>

His appointment came at the time troops were mobilizing for a campaign against the northwestern Indians. Although many happy memories still remained to him of the years spent on the Scioto, Sparks now returned to that section bent upon the destruction of those who continued to harass the frontier. He was placed in charge of the Pennsylvania riflemen under General Arthur St. Clair's command.

#### WITH THE CHICKASAWS UNDER ST. CLAIR

After the arrival of the troops on the Ohio, the Chickasaw chief, Piamingo, joined the Americans. Sparks, still more Indian than white man in his habits, was the natural confederate for the Chickasaws in a venture which the General appointed for them. A letter from St. Clair to Secretary Knox, dated October 29, 1791, outlined the plan: "Piamingo and his people accompanied by Captain Sparks and four good riflemen going on a scout; they do not propose to return under ten days, unless they sooner succeed in taking prisoners."<sup>16</sup>

Sparks became an Indian again in dress and speech. The party progressed to the towns, but it found no warriors. One conclusion was inevitable: the braves had gone to fall upon the unprepared General St. Clair. The scouts hurried to warn him of an impending attack, but, while yet many miles from camp, they met an Indian runner dressed as a dragoon. Another object also announced the fate of

<sup>14</sup>*Draper Manuscripts, Draper's Notes, XXX, 301.*

<sup>15</sup>Heiskell, *op. cit.*, p. 345. Cf. *Historical Register and Dictionary of the United States Army*, from September 29, 1789, to March 2, 1903, ed. F. B. Heitman. Washington, 1903, I, 909.

<sup>16</sup>Letter, General St. Clair to Secretary Knox, November 1, 1791, ed. W. H. Smith, *The St. Clair Papers*. Cincinnati, 1882, II, 250. Cf. *Draper Manuscripts, Draper's Notes, XXX, 297.* Brady, and William and George Colbert were also members of the scouting party.

the American army. This Indian carried a rifle which Sparks had entrusted to a sergeant before he set out on the scouting expedition. The white men's disguise completely deceived the runner, who recounted the story of the defeat of the army. His account verified Sparks's opinion of the General, in whom he had felt no confidence. St. Clair's obstinacy and his refusal to accept advice from those who knew conditions far better than he, had foretold defeat. Sparks had gladly accepted the perilous task of scouting in preference to that of remaining with what he believed to be a doomed army.<sup>17</sup>

Piamingo and his Chickasaws hurriedly dispatched their Indian informant to the Happy Hunting-Ground. The scouts, now in constant danger of encountering the returning braves, proceeded cautiously. When they saw a straggling group too numerous for them to combat, they secreted themselves until the Indians had passed. Smaller bands were shown no mercy. Finally, the savages gave chase to the scouts, who made their way toward Fort Jefferson. Their situation was desperate. Blood-thirsty enemies pressed them from the rear. A refuge was imperative, but the fate of a band of twenty-four men dressed as Indians who attempted to approach a frontier fort was not conjectural.

Sparks left the Chickasaw party at the edge of the forest and advanced from tree to tree until he arrived in hailing distance of the fort. When he was informed that Major McMahon was the commandant, he requested a word with that officer. The white men of the party were Pennsylvanians and friends of the Major. When the commander appeared, no time remained for unnecessary remarks: "I am Dick Sparks," the scout shouted from his position behind a tree, "and close by is our Chickasaw's party that went with us on the scout—for God's sake let us in; we are pursued by a large party of the enemy." McMahon gave the signal for their approach, and they out-distanced their pursuers in the dash for the fort.<sup>18</sup>

#### AT FORT JEFFERSON

Captain Sparks remained in the garrison at Fort Jefferson during the winter of 1791. His skill as a hunter frequently replenished a scanty food supply. To venture from the protection of a fort in the northwest at that period was to place one's life in jeopardy, but Sparks knew the mean-

<sup>17</sup>*Draper Manuscripts, Draper's Notes*, XXX, 305. Cf. Hunt, S. F.: "St. Clair's Defeat," *Ohio Archaeological and Historical Society Publications*, VII, 1900, 373-396. General Hamer also expected the defeat of St. Clair.

<sup>18</sup>*Ibid.*, pp. 297-299.

ing of neither danger nor fear. The Indian cunning, stealth, methods of concealment, and manner of trailing game, inculcated by the Shawnees, now protected their former chief and supplied the garrison with much needed provisions.<sup>19</sup>

On March 7, 1792, Captain Sparks was transferred to the infantry, and on September 4, to the riflemen of the Third Sublegion under the command of General Wayne.<sup>20</sup> In the autumn of 1793 he again started for the west, this time in command of a company for Mad Anthony. The following spring he assisted in the final overthrow of the Ohio Indians at Fallen Timbers.<sup>21</sup>

### CAPTAIN IN THE THIRD INFANTRY

For the three following years, Sparks's activities are again shrouded in uncertainty. The next hint of his whereabouts would seem to suggest that he remained at some post in the Northwest. On November 1, 1796, when the Third Sublegion became the Third Infantry, his name appeared as a Captain in that unit. Almost two months later the *Knoxville Gazette* for December 26, 1796, carried a note which recorded his transfer to the Old Southwest: "Thursday last arrived in town from Detroit a company of Federal troops, commanded by Captain Sparks." During the remainder of his life, his career was a part of the history of the Old Southwestern frontier. This man who had helped to subdue the Indians of the north became in 1797 the protector of the interests of those in the south. Captains Sparks and Wade were stationed at Knoxville for the purpose of enforcing the act of Congress of May 19, 1796, which provided for the regulation of trade and intercourse with the Indian tribes and for the preservation of peace on the frontier.

### REGULATION OF THE INDIAN TRADE

The immediate problem confronting the officers concerned the settlements of pioneers south of the Holston on lands to which the Cherokee's title had not been extinguished.<sup>22</sup> On February 6, 1797, the Captains issued a manifesto "To the People residing in Powell's Valley and elsewhere on Lands to which the Indian claim is not extinguished." It was a plea for moderation:

<sup>19</sup>*Ibid.*, p. 300. Cf. *Ibid.*, p. 297. There is an indication that Sparks visited Sevier soon after the St. Clair disaster. According to Col. George Sevier the Seviars learned of the defeat from Sparks.

<sup>20</sup>Heitman, *op. cit.*, pp. 140 and 909.

<sup>21</sup>*Draper Manuscripts, Draper's Notes*, XXX, 301.

<sup>22</sup>Ramsey, J. G. M.: *Annals of Tennessee*. Kingsport, 1926, pp. 679-680.

"Fellow Citizens,

"Fully impressed with a just sense of the duty enjoined upon us by the President of the United States, thro' the Secretary of War, and duly empowered to pursue a line of conduct which will conform to an act of Congress, passed the 19th of May, 1796, 'entitled an act to regulate trade and intercourse with the Indian tribes and to preserve peace on the frontiers,' (to which no doubt you have all had reference) we have come forward and now address you in full confidence of your treating the subject coolly and dispassionately.

"It is not our wish to enter rashly upon the duty assigned us; nor do we conceive there will be a necessity for it; and in order therefore to give you full time to prepare your minds for the event, we have deemed it proper to notify you, that on or about the 29th instant, we shall meet you at Yocum's Station, where we hope your numbers will be full and respectable, and your tempers calmly disposed to argue on a subject which involves in itself consequences of material magnitude to the Union at large, and to you in particular.

"We are assured that the reflection of a moment will evince to you, how much better it is, to observe a strict obedience to the laws than by a refractory disposition, involve your fellow citizens in the tumults of anarchy and probably in the horrors of war, and create in your own minds a self-reproach which will forever be felt.

"Fellow Citizens,

"At your meeting, we shall scruple to read to you the instructions we have received, and by which you are to be governed; and after your hearing them, we cannot admit of a doubt, but that you will in a given time remove to that side of the line to which you have a just claim, and save the necessity of any unnecessary altercation. We are Your Friends and Humble Servants,

Richard Sparks, Capt.  
3rd. Regiment U. S. Army.  
John Wade, Capt.  
3rd. Regiment U. S. Army.

Knoxville, February 2nd, 1797.

N. B. The Inhabitants residing on the south side of Holston will be met by Capt. Sparks on the 15th. instant."<sup>23</sup>

The characteristics of the man could not have revealed themselves more forcefully than in this appeal. He was practical-minded, imbued with a sincere regard for duty, sympathetic, just, but determined. The impressions resulting from a thoughtful perusal of the situation confronting the officers were aptly stated in an editorial comment:

"The circular letter addressed to the inhabitants of Powell's Valley, etc., by Captains Sparks and Wade is so replete with mildness and moderation, that the most obstinate disposition cannot but concur with them in opinion that it is better to meet the wishes of these gentlemen than by a perverse conduct compel them to measures which may terminate in unhappy consequences."<sup>24</sup>

<sup>23</sup>Knoxville Gazette, February 6, 1797.

<sup>24</sup>Knoxville Gazette, February 6, 1797.

A reply of the settlers contained a further comment, significant because it indicated the regard in which the people held the Captains who had come to dispossess them:

"The civil manner, gentlemen, in which you begun, and we hope will continue to execute your orders, excites sweet emotions in our breasts. We cannot help expressing our warmest acknowledgements to you for the pains you take to convince us that our settlements are not tenable on the principles of law. Your amiable characters have preceded you—we know you are the brave Captains Sparks and Wade who fought and conquered our savage enemies of the North under the banners of the heroic Generals Wayne and Wilkinson."<sup>28</sup>

From the time when he first took command of a frontier garrison, Captain Sparks inspired the confidence not only of the settlers but also of the Indians. Even among the habitually lawless conditions prevalent in any frontier community, the pioneers respected his regard for law. Although he enforced the decrees of the government upon them, they knew that he demanded an equal obedience from their enemies. His ability to hold the savages in check and to appease their anger without bloodshed won for him the respect of the whites. The Indians felt a kind of kinship with the tall, raw-boned officer who could converse with them in their own language. If, as one tradition said, Mrs. Sparks taught her husband to read and to write after their marriage, she was not responsible for striking characteristics of his expressions. A quaint, picturesque eloquence similar to that of the recorded speeches of Indian chiefs remained in his writing and conversation throughout his life. Whether the southern savages knew of his early years in the wigwam by the Scioto is doubtful. But they soon learned that he regarded his word not alone when it concerned the settlers, but also when it was to their interests. A breach of confidence on their part brought swift, relentless punishment. They speedily learned to respect his word and to admire his courage.

#### A TYPICAL PIONEER PHENOMENON

In his career, Sparks represented a typically pioneer phenomenon. Any frontier was lawless. Redress for injuries depended upon the accuracy of a man's musket aim. The frontiersman knew no law except that of his own strength. As a community became more firmly established, a respect for order gradually developed. In time, the lawless pioneers established courts, and more and more they left redress to these bodies. Settlers then recognized a force other than their individual judgments. Captain

<sup>28</sup>*Knoxville Gazette*, February 27, 1797.



Sparks exemplified this evolution from lawlessness to law. When he scouted in Indian disguise in 1782, he respected no law but that of his rifle. To him, right and might were synonymous. By 1796 when he addressed the settlers below the French Broad, he felt a respect for the decrees of the government under which he lived. Years later, in 1810, although he ardently desired the wresting of Mobile from Spanish control, he refused to permit a group of "loyal patriots" to trample order under foot in order to possess that city. Might was no longer right to this Indian frontiersman.

Although official duties were pressing, Captain Sparks did not forget the friends at Plum Grove. An entry in the diary of Governor Sevier, under date of February 27, 1797, recorded the continued friendship: "A beautiful day myself Capt. Sparks Wm Cambple & Rutha rode out to Mr. Roads and dined."<sup>26</sup>

By April 15 of the same year, the troops under Captains Sparks and Wade had moved to South West Point<sup>27</sup> in observation of the Cherokees and the land speculators who made claims under the authority of the State of Georgia<sup>28</sup> The Tennessee Governor's diary again summarized the Captain's activities during the following summer: "June 22. Sit out for P Grove Comp with Mrs. & Mr. Campbell, Capt. Sparks and some Dragoons. June 27. Self & Capt. Sparks went to Jonesboro ret. in eveng". An entry under date of June 29, 1797, recorded in a few, simple words the fulfillment of the old Cherokee prophecy: "Capt. Richard Sparks & Rutha Sevier married by Mr. Doake."<sup>29</sup>

#### TRANSFERRED TO FORT PICKERING—(MEMPHIS)

Captain Sparks remained in command at South West Point until 1801,<sup>30</sup> when he was transferred to Memphis. When Governor Claiborne visited Fort Pickering on his way to Natchez, in the early winter of that year, he could heartily endorse the activities of its commandant:

"On the eastern or American bank of the Mississippi, the only improvements until I reached the Walnut Hills, was our Fort Pickering, at the bluffs below Wolf river. Captain Sparks of the 3rd. regiment is in command. He is an intelligent and efficient officer, has rendered many services to our countrymen navigating the Mis-

<sup>26</sup>"John Sevier's Diary," ed. S. G. Heiskell, *op. cit.*, II, 546.

<sup>27</sup>*Knoxville Gazette*, May 1, 1797. "A reward is offered for the return of two deserters from Captain Wade's company.

<sup>28</sup>Claiborne, *op. cit.*, p. 221.

<sup>29</sup>"John Sevier's Diary, ed. Heiskell, *op. cit.*, II, 546.

<sup>30</sup>*Ibid.*, pp. 546-567.

issippi, to boats in distress, to emigrants, to the sick. And he has maintained a good understanding with the Indians."<sup>31</sup>

#### AT FORT ADAMS

In April, 1802, Captain Sparks was transferred to the Second Infantry,<sup>32</sup> and at about the same time he and his garrison moved to Fort Adams.<sup>33</sup> In July, Governor Claiborne and Captain Sparks selected the site for the erection of a fort near the town of Washington, six miles from the Mississippi river.<sup>34</sup> If any other evidence were necessary to reveal the confidence and esteem in which the Governor held the commanding officer of Fort Adams, it was contained in a request addressed to Secretary Dearborn in August of that year: "If a company should be ordered from Fort Adams to assist in erecting and to occupy this Garrison, may I be permitted to ask you the favor to direct that Capt. Sparks be detached on this command? Of his integrity, prudence, and patriotism I have the highest opinion; and believe him well calculated to take charge of a separate post."<sup>35</sup> Following the response of the Secretary that the appointment was in the hands of General Wilkinson,<sup>36</sup> the Governor addressed a similar request to that official: "My great friendship for Sparks, and the great addition which his small family would be to our little society, leads me to make this request."<sup>37</sup>

#### EXPLORES THE RED RIVER COUNTRY

In 1806, Captain Sparks was still located in the vicinity of Natchez. From Saint Catherine's landing in the late spring of that year he led the Exploring Expedition of Red River, the first company sent out by the United States government to study the territory of the Louisiana cession. He, with Mr. Freeman, Lieutenant Humphrey, Dr. Curtis, seventeen soldiers, two non-commissioned officers, and a black servant set out with instructions to ascend Red River to its sources.<sup>38</sup>

<sup>31</sup>Letter, W. C. C. Claiborne to Secretary Madison, November 24, 1801, in *Official Letter Books of W. C. C. Claiborne*, ed. Dunbar Rowland, I, 10. To the substance of the earlier letter, Gov. Claiborne adds, "This deserving Officer is a Captain Sparks of the 3rd. Regiment, his truly benevolent and patriotic conduct has procured him the Esteem of the Western Citizens, and will I am sure recommend him to the President." Cf. "Roll of Civil, Military and Naval Officers," submitted by Treasury Department, Albert Gallatin, Secretary, ed. Lowrie and Clarke, *American State Papers*, Class X, Miscellaneous, I, 260-319.

<sup>32</sup>Heitman, *op. cit.*, p. 909.

<sup>33</sup>Claiborne to Sec. Dearborn, June 29, 1802, ed. Rowland, *op. cit.*, p. 132.

<sup>34</sup>Claiborne to Sec. Dearborn, July 20, 1802, ed. *Ibid.*, 151-152.

<sup>35</sup>Gov. Claiborne to Sec. Dearborn, August 6, 1802, ed. *Ibid.*, pp. 154-155.

<sup>36</sup>Sec. Dearborn to Gov. Claiborne, September 10, 1802, ed. *Ibid.*, p. 227.

<sup>37</sup>Claiborne to General James Wilkinson, November 16, 1802, ed. *Ibid.*, p. 225. The post under discussion was Fort Dearborn. Ruth Sparks always accompanied her husband and resided where he was located.

<sup>38</sup>"S. H. Long's Expedition," ed. Reuben G. Thwaites, *Early Western Travels*, 1748-1846. Cleveland, 1905, XVII, 66. Mr. Thwaites says in a note that the official report of this expedition under Captain Sparks was never published, and that the account here given is the only one extant. It was drawn from notes of the party.

On May 3, the party entered the river, intending to ascend to the country of the Pawnee Piqua Indians. Here the explorers planned to leave their boats, pack on horses the provisions purchased from the Pawnees, and then proceed to the top of the mountains, which they believed to be about three hundred miles distant. At Natchitoches they strengthened the party by retaining a detachment of troops. Friendly Indians warned them that the Spaniards would oppose their progress. Two hundred and one miles above Natchitoches, the party was told again of the plan of the Spanish to prevent the completion of the project. A Cadoe chief, who desired the explorers to see all the country belonging to his friends, promised to watch and report the movements of the Spanish force.

After the party had made a deposit of its most important papers, a stock of ammunition, provisions, and astronomical instruments, the explorers continued up the river until they met the Spanish company. Captain Sparks parleyed for three quarters of an hour, but Don Francis Viana<sup>39</sup> was determined to prevent any further advance of the Americans. The superior numbers of their opponents forced the explorers to abandon the undertaking at a point six hundred and thirty-five miles above the mouth of Red River.<sup>40</sup> Although the expedition did not reach its goal, President Jefferson praised the zeal and prudence with which it was conducted.<sup>41</sup> Failure had resulted from circumstances which the party could not control.

#### PROMOTED TO MAJOR

When the explorers returned to Natchez in the summer of 1806, the commanding officer had ceased to be Captain Sparks. On July 29, he had been promoted to the rank of Major. An advancement to Lieutenant-Colonel followed on December 9, 1807.<sup>42</sup> Just when Colonel Sparks was transferred to Fort Stoddart is not known, but he was located there in January 1810.<sup>43</sup> Apparently he had been stationed there for some time. Prior to June of that year it was reported that "his course had had a deterrent effect upon border outbreaks."<sup>44</sup> At that time, however, the temporary

<sup>39</sup>"The Expedition of Zebulon Pike," ed. Elliott Coues. New York, 1895, II, 710. Pike says Don Viana was the officer who caused Captain Sparks and Mr. Freeman to return from their expedition.

<sup>40</sup>Long, *op. cit.*, pp. 66-67.

<sup>41</sup>Message of President Jefferson, December 2, 1806, ed. Lowrie and Clarke, *American State Papers*, Class I, Foreign Affairs. Washington, 1832, I, 69.

<sup>42</sup>Heitman, *op. cit.*, p. 909.

<sup>43</sup>Return of Troops of the United States by Inspector A. Y. Nicoll, January 29, 1810, ed. Lowrie and Clarke, *American State Papers*, Class V, Military Affairs. Washington, 1832, I, 250.

<sup>44</sup>Cox, I. J.: *The West Florida Controversy*, 1798-1813. Baltimore, 1918, p. 441.

governor of Mobile, Maximiliano de St. Maxent, requested Sparks's aid in breaking up the project of the "Mobile Society," which intended to plunder the establishment of Forbes and Company, to capture the Fort of Mobile, and to commit other excesses.<sup>45</sup>

#### SPARKS'S POLICY AT MOBILE

The Spanish occupation of Mobile was a serious grievance to most Americans of that region. Colonel Sparks desired the extension of the authority of the United States to that port, but not at the price of deluging the city with blood. After one filibustering expedition led by Joseph Kennedy and Kempers had failed, Sparks learned of the gathering of a second force. He feared revenge on Mobile because of Governor Folch's victory over the drunken allies of Kemper.<sup>46</sup> At the first hint of possible danger, Governor Claiborne directed him to take such measures as would insure the safety of the inhabitants. Sparks's reply to the order was typical of the spirit of this Indian-soldier:

"It is with much pleasure I assure you that five complete companies of Volunteers await with anxiety for the command to march, and that a small deficiency of arms amongst them, I shall be able to supply from the public stores at this place. The force under my *immediate* command awaits the moment's warning. If called on, Sir, to cooperate with you, I shall rejoice to have an opportunity to convince *My Country* (whatever my services may be) that thirty years of active service have not extinguished my zeal for the welfare of the land that gave me birth."<sup>47</sup>

Bloodshed was averted, much to the disgust of those who felt that the patriots who desired to drive out the hated Spaniards were "embarrassed by the opposition of the Federal authorities about Fort Stoddart."<sup>48</sup>

#### THE KEMPER PARTY

Colonel Sparks anticipated the peaceable surrender of the Fort in January, 1811, in accordance with President Madison's proclamation.<sup>49</sup> He was empowered by Governor Claiborne to request its evacuation, but he was not to use force without further orders. A nominal occupation of Mobile by the Kemper conventionists was not to be permitted, however.<sup>50</sup> Early in January Colonel Sparks prepared to move down the river with his militia. At about the same time Colonel Cushing arrived at Mobile with gunboats and

<sup>45</sup>*Ibid.*, pp. 440-441.

<sup>46</sup>Sparks to Claiborne, December 21, 1810, ed. Rowland, *op. cit.*, V, 73-75.

<sup>47</sup>Sparks to Claiborne, December 21, 1810, ed. *Ibid.*, p. 72.

<sup>48</sup>Pickett, A. J.: *History of Alabama*, reprinted by R. C. Randolph. Sheffield, 1896, p. 509.

<sup>49</sup>Sparks to Claiborne, December 21, 1810, ed. Rowland, *op. cit.*, V, 73-75.

<sup>50</sup>Claiborne to Sparks, December 28, 1810, ed. *ibid.*, pp. 76-77.

artillery from Baton Rouge.<sup>51</sup> The Spanish governor, Folch, had forgotten all about his offer to deliver up the fort in return for protection against the Kemper filibusterers,<sup>52</sup> and the Americans were forbidden to use force until such orders were received. The troops lingered in the vicinity for several weeks. Then both the Spaniards and the townspeople were mystified when on February 9 the militia returned to Fort Stoddart, and the flotilla withdrew a few days later for New Orleans.<sup>53</sup>

#### MILITARY POLICIES CRITICIZED

Two months later Governor Claiborne intimated the circumstances which occasioned this unexpected withdrawal. In reply to a letter from Colonel Sparks, he expressed regret that the session of the Legislature of Orleans Territory prevented his going immediately to Baton Rouge, as requested: "Should my presence at Baton Rouge be necessary for your defence, you will rest assured I shall not fail to be there."<sup>54</sup> On the following day he forwarded a second letter: "The Legislature of the Territory have agreed to adjourn on Thursday next, and in conformity to your wish and summons of the Court Martial I shall set out for Baton Rouge on Friday or Saturday."<sup>55</sup>

In a letter of the same date to General Hampton, he remarked: "Colonel Sparks has summoned me to Baton Rouge as a witness. I do not know that anything I can say would be of importance at the trial; but as my presence is desired it is an Act of Justice to a man whom I have long known and esteemed to attend."<sup>56</sup> The removal of the troops from Mobile was occasioned by the fact that Colonel Cushing and some of his subordinates had to report for court-martial at Fort Adams. It was one of the incidents growing out of the interminable Wilkinson inquiry.<sup>57</sup>

#### "COLONEL" SPARKS

Whatever the charges against Colonel Sparks, he proved his innocence. He was not demoted; instead, on July 6, 1812, he advanced from the rank of Lieutenant-Colonel to that of Colonel.<sup>58</sup>

<sup>51</sup>Cox, *op. cit.*, pp. 515-520.

<sup>52</sup>*Ibid.*, pp. 508-519.

<sup>53</sup>*Ibid.*, p. 521.

<sup>54</sup>Claiborne to Sparks, April 21, 1811, ed. Rowland, *op. cit.*, V. 214-215.

<sup>55</sup>Claiborne to Sparks, April 22, 1811, ed. *Ibid.*, p. 215.

<sup>56</sup>Claiborne to General Hampton, April 22, 1811, ed. *Ibid.*, pp. 215-216.

<sup>57</sup>Cox, *op. cit.*, p. 521. Note makes reference to communications of Cushing to Perez, of Perez to Cushing and of Perez to Folch throughout January and February, 1811. *Madison Papers MSS.*

<sup>58</sup>Heitman, *op. cit.*, p. 909. Cf. Register, Rules and Regulations of the Army for 1813, ed. Lowrie and Clarke, *American State Papers*, Class V, Military Affairs, I, 409.

After General Wilkinson took command of Fort Charlotte in April, 1813, Colonel Sparks was transferred to that post. When General Jackson journeyed down the Mobile River in 1814, he found five companies and a detachment of artillery under Lieutenant A. L. Sands in the Colonel's command at that fort.<sup>59</sup> There Richard Sparks spent the remainder of his army life. When the bill for the reduction of the army was put into effect after the close of the War of 1812, Colonel Sparks received an honorable discharge on June 15, 1815,<sup>60</sup> in order that some younger man might be retained.

#### ARMY REDUCED—RETIREMENT OF COL. SPARKS

The old soldier was heartbroken when he heard that he had been dismissed while many who had seen little service had been retained. He thought of himself as an old war horse turned out to shift for himself while he was yet able to give more years of service to his masters.<sup>61</sup> He was still Indian, Indian in pride. He could not live in humiliation. Two weeks after his discharge he died on July 2, 1815 at his residence at Bayou Pierre, Claiborne County, Mississippi.<sup>62</sup> An old Nashville paper quaintly recorded his death:

"About the 1st. inst., the corruptible part of our friend Col. Richard Sparks, late of the 2nd. Infantry, was relieved from duty, and put in snug quarters till the grand reveille shall awaken the armies of the universe for a final review and promotion, when honest men will have a preference, whatever may have been their politics. The Colonel of course stands a good chance."<sup>63</sup>

Richard Sparks did not build an empire. He was not the first to erect a log cabin on some new frontier as a challenge to others to press forward and to conquer the wilderness. He represented another type of pioneer, one of those who made it possible for the first cabin to remain on an outpost and for others to cluster about it. He devoted his life to the protection of those who braved savage fury and claimed an ever-increasing part of the western wilderness for the United States. He was one of that group who, knowing neither danger nor fear, made the building of the commonwealth possible. Nashville, Tenn.

<sup>59</sup>Hamilton, P. J.: *Colonial Mobile*. New York, 1910, p. 449.

<sup>60</sup>Heitman, *op. cit.*, p. 909.

<sup>61</sup>*Draper Manuscripts, Draper's Notes*, XXX, 330.

<sup>62</sup>*Ibid.*, p. 305. Heitman, *op. cit.*, p. 909, gives the date of his death as July 1, 1815.

<sup>63</sup>Quoted by Claiborne, *op. cit.*, p. 222. An extract from a letter from the Choctaw Agency, dated July 8, 1815. *Draper Manuscripts, Draper's Notes*, XXX, 330, says the obituary was written by Col. Silas Dinsmore. It is interesting in this connection to compare Heiskell, *op. cit.*, II, 345, and Armstrong, *op. cit.*, p. 268. Both say Colonel Sparks died in Staunton, Virginia, a statement which cannot be accepted if one considers the distance from Mobile to Staunton, and the shortness of the period of time between his discharge and his death.

# THE SENATORIAL CAREER OF THE HON. FELIX GRUNDY

BY FRANCES HOWARD EWING

## CHAPTER III THE POST OFFICE INVESTIGATION

With the opening of the second session of the twenty-first Congress, in 1830, the inquiries and questions concerning the Post Office Department were inaugurated. Some six years later this investigation resulted in the reorganization of the Post Office Department along the lines of the other executive divisions.

Mr. Grundy, at this session, had been placed on the standing Committee of the Post Office and Post-Roads. When the investigation commenced, he was chosen to serve on the special committee along with Clayton, Hendricks, Woodbury and Holmes.<sup>72</sup> They were authorized and directed to make an inquiry into the history and business of the Department. This meant many hours of tedious and patient investigation, for a report would be necessary, as it should embody the manner in which the laws regulating the department had been administered; how the work was distributed; the number of clerks, and duties assigned; the number of contractors, and the entire management of the department; and further, what amendments or other legal provisions would be necessary to secure an honest and orderly administration of it.

### *Removals*

Many charges had been made against the department, but proscription had, by this time, become a cry so popular among the opposition that it furnished the majority of the Committee their first point of attack. Since it could not be denied that removals had been made, the anti-administration crowd felt that this was their surest way of winning public opinion to their side. Amos Kendall, who later succeeded Barry, considered the attack in this light. He estimated that the removals in the Post Office Department were about one-sixteenth of all that were employed there. Kendall, by no means, cleared Barry's department of

<sup>72</sup>*Debates in Congress*, Vol. VII, p. 4.

all the charges. He freely admitted that this branch of the government was cause for great anxiety, but he didn't think the investigation should become a factional quarrel.<sup>73</sup> The *National Gazette and Literary Register*, in a comment made on March 17, 1831, gave the number of removals in all branches of the General Government as nine hundred and ninety, of which seven hundred and sixty occurred in the Post Office Department. This publication showed that the highest number of removals from the beginning of the Government under the Federal Constitution for any one administration had been thirty-nine. From the figures given of removals made by presidents preceding Jackson, the average was twelve.<sup>74</sup> Kendall, to minimize the large number of removals, gave his estimate in fractions, and it, of course, was natural for him to leave as favorable an impression as possible. With such a feeling reacting against Jackson and a strong anti-administration sentiment prevalent in the two houses of Congress, it was not unexpected that the Committee investigating the Post Office should find their task most difficult.

*Post Office Committee Disagreed.*

Early in their work the members came into a disagreement and were not allowed to complete their task behind closed doors. Grundy submitted a resolution to the Senate on February 2, 1831, which prohibited the select committee, appointed on the fifteenth of December, 1830, to inquire into the conditions of the Post Office Department; from calling before them "persons who had been dismissed from office, for the purpose of ascertaining reasons or causes of their removal."<sup>75</sup> If this resolution was passed and adopted, Grundy would win the controversy.

The calling of Abraham Bradley and Dr. Phineas Bradley, who were dismissed on account of their hostility to the department, caused the immediate break within the committee and brought the whole affair upon the floor of the Senate. Mr. Grundy, a supporter of Barry and the administration, felt that if this course of procedure was followed, the partisan anti-administrationists would make matters appear blacker than they really were; and press comments made later indicated such would have been the case.<sup>76</sup> Grundy's presentation of this resolution was an admission of his unwillingness for the committee, which was strongly

<sup>73</sup>Autobiography of Amos Kendall, pp. 301-302.

<sup>74</sup>Nashville Republican and State Gazette, March 17, 1831.

<sup>75</sup>Debates in Congress, Vol. VII, p. 78.

<sup>76</sup>National Intelligencer, July 3, 1834.



anti-Jackson, to decide the propriety of examining ex-Post Office officials. He insisted that more accurate information could be gained from the person removing rather than the person removed. As a matter of fact, Grundy did not think the Senate nor any one else had the constitutional power to make inquiry concerning removals of executive department officers, for he claimed: "The Chief Executive and the heads of the departments, by the constitution and the law, have the power conferred upon them to appoint and remove the subordinate officers of the executive branch of the Government."<sup>77</sup>

### *Decline of Revenue.*

Mr. Clayton at once arose to take issue with Grundy's argument for the resolution, and vigorously answered him, and asserted that he was interested only in looking into the decline of the revenue of the department, which the speaker feared was rapidly heading for bankruptcy. He asked Grundy if appointment and removal were not a part of the management of the department and subject to investigation, to which no definite answer was given. Grundy and Woodbury, the two who composed the minority, were busy meeting all the other attacks Clayton and Holmes made upon their position.<sup>78</sup> Clayton, who served as chairman of the committee at this session, and Holmes, his right-hand man, accused the supporters of the resolution of shielding Barry and endeavoring to trammel the investigation for personal advantage.<sup>79</sup> The majority attributed the extra expenditure to the removals and to the "spoils system." The defense insisted that the increase in expenses was due to the expansion and improvement of the department, which had increased the number of post roads in order to meet the demands of the public. Grundy claimed Barry had conserved the public revenues by letting the contracts to cheapest and best bidders.

Another amendment of Grundy caused a second uproar from the opposition, allowing the Postmaster General to assign general reasons rather than to give specific ones, so as to avoid making personal attacks in the press on individuals. The opposition would not accept this explanation, but felt it a ruse to allow Barry to blacken the characters of officials removed and leave them open to every evil suspicion. With such a feeling prevalent, they insisted upon

<sup>77</sup>*Debates in Congress*, Vol. VII, p. 87.

<sup>78</sup>Hendricks, the fifth member of the Committee, did not participate in the debate.

<sup>79</sup>*Debates in Congress*, pp. 93, 94, 96, 103, 104, 107, 110, 111, 113, 154, Vol. VII.

the right of the ex-officials defending themselves.<sup>80</sup> In this manner the debate dragged on for days, the majority making bitter and stinging charges and the defense meeting and denouncing them wherever possible. Few of the Senators who were not on the committee took part in the controversy. However, some expressed their opinions on one or the other side. It was Livingston's modification of the Grundy resolution that finally ended this debate, on February 11, 1831.

*Livingston's Amendment.*

Livingston's change was occasioned by an objection from Mr. Sprague, who thought that the resolution as presented by Grundy tended "to impeach the veracity of individuals who had been dismissed from office in the capacity of witnesses before the special committee."<sup>81</sup> The resolution as passed on February 12, 1831, by a vote of twenty-four to twenty-one, changed the wording of the first resolution from "are not authorized to call before them persons who had been dismissed," to "are not authorized to make inquiry into the reasons which have induced the Postmaster General to make any removals of his deputies."<sup>82</sup>

While the Senate was occupied with the above resolution, Barry answered one of the requests of the select committee with a six thousand page report. It embodied a list of all contracts made by the department, with the number and compensation of all clerks employed by the Postmaster General. Grundy, of course, could not object to this procedure of calling on Barry for such information, for it was akin to one of his own recommendations as to the right way to discover the real state of affairs.<sup>83</sup> He however, did not consider the remarks of Clayton and Holmes quite just when they complained of extra expenditure, and then they demanded a lengthy report which required several clerks' constant and diligent work for six months. The preparation was very expensive, and it was entered upon the Post Office Department's books as a debit. Grundy felt certain that there was a cheaper way of ascertaining accurate information. The actual reports, documents, and correspondence of the department could be consulted by the individual committeemen, and he assured the Senate that if such a course was followed, Barry had guaranteed him that

<sup>80</sup>*Debates in Congress*, Vol. VII, p. 90.

<sup>81</sup>*Idem.*

<sup>82</sup>*Debates in Congress*, Vol. VII, p. 90.

<sup>83</sup>*Ibid.*, p. 91. *Niles' Register*, Vol. XI, p. 35.

the doors of the department would remain open for inspection.<sup>84</sup> After the report was received, it was moved and passed that the Senate have it printed.<sup>85</sup>

The business of the investigating committee was concerned primarily with the financial conditions, but any irregularity that the men discovered was seized enthusiastically and exaggerated whenever possible. Jackson was immediately attacked, and it was but natural that he should be. The opposition pictured the President as a man easily led and quick to retract when under fire. Grundy, with his gift of oratory, dramatically upheld Jackson, and hurled biting sarcasm upon his opponents. From the beginning all evidence indicated that partisan feelings were going to play an important part, and neither side can be entirely declared innocent of not allowing their political beliefs to enter into the struggle.

#### *Extra Allowances.*

After the removal charge had been given its rightful place by the offense in the Post Office case, the adversaries next took up the extra allowances as a cause for the depleted condition of the Post Office. In a preliminary report made on March 3, 1831, by the committee, thirty-six cases of extra allowances to contractors were brought out. The majority of the committee charged Barry with these extra expenditures, in addition to falsifying the records of the allowances. Clayton and his adherents based their opinions upon a memorial from Abraham Bradley, who claimed that Barry had untruthfully attributed the allowances to him rather than to himself.<sup>86</sup> Grundy could not deny that erasures had been made on the books, but he chose to put a different interpretation upon the matter other than that of gross and intentional fraud. He claimed that the subcommittee, which was sent to examine the books, had found dates but no names opposite them which would indicate who had made the allowances. Grundy attributed the trouble to these erroneous corrections.<sup>87</sup>

#### *Printing the Report.*

Clayton wished to print the report with Bradley's memorial but Grundy strenuously objected, for he considered it as an attempt to arouse prejudice against the Post Office Department. The Tennessee Senator not wishing to impli-

<sup>84</sup>*Debates in Congress*, Vol. VII, p. 110.

<sup>85</sup>*Ibid.*, p. 149.

<sup>86</sup>*Debates in Congress*, Vol. VII, p. 336.

<sup>87</sup>*Ibid.*, p. 342.

cate any one, successfully moved to suspend the printing of the report.<sup>88</sup> The trend of later events served to disprove what seemed at the time a selfish motive. The report was about the last business of this Congress before it adjourned, and the Post Office investigation remained in the background until December 19, 1833.

During this interval, the special and sub-committees were occupied with delving into correspondence and all available reports of this department. When this matter was again taken up, Grundy still maintained a place of great prominence. He was the leader of the defense, and the task to free the department of corrupt charges rested upon his shoulders. As his first move in the Senate, Grundy presented a resolution requesting the Postmaster General to report all allowances made by him, beyond the sum stipulated in the original contracts since April 6, 1829, specifying in every case the services performed by the original contracts and the sums to be paid thereon; the nature and extent of each facility and improvement, and the extra allowance made therefor; and the names of the persons to whom allowances had been made, and at what time. The second part of the resolution called for a statement of curtailments of facilities lately made by the department, specifying each route, the names of the respective contractors, and the amount of the diminution of service and compensation in each. The third provision concerned the recent improvements made in mail routes by the Act of June 15, 1832.<sup>89</sup> The nature of the motion indicated that Grundy did not deny that extra allowances had been made. It was also a move to charge as many allowances as possible to improvement in mail routes and facilities. Many times already had Grundy's arguments contained such implications. He did not deem it unjustifiable to allow contractors extra compensation when the original agreement had not provided for it, if a mail carrier's route was changed so as to necessitate more work on his part.

#### *Charges Mount Higher.*

There now ensued an intermission of several months in Congress during which time the open discussion of the affair subsided, but by no means did the public and Barry remain silent on the matter. During the Congressional proceedings, while the Postmaster General was busy answering the numerous resolutions, charges were all the

<sup>88</sup>*Niles' Register*, Vol. XL, p. 35.

<sup>89</sup>*Congressional Globe*, Vol. I, p. 42.

while mounting higher and higher.<sup>90</sup> Barry chose the press as the means which would put him in touch with the greatest number of people. In a speech issued in July, 1834, he ably defended himself against the attacks of his opponents.<sup>91</sup> Barry personally had not been charged with dishonesty by the majority of the Senate,<sup>92</sup> but from all sides words reached his ears that the public felt that he was totally unsuited for this position due to his lack of business qualifications. He was too trusting and therefore could be easily deceived by professional politicians.<sup>93</sup> Grundy had vigorously upheld Barry during the first part of the debate, and he continued to maintain the same tenacity of purpose. He, with a few others, consistently denied this apparent weakness of the Postmaster General's character which lessened his value as an executive official. Barry's speech to the public unequivocally maintained that he had not exceeded his power when he had removed those individuals from office who had opposed every reform that he had attempted to introduce. If the Postmaster General's statements can be accepted in good faith, he was not attempting to baffle the examiners. He assigned many of the mismanagement charges to McLean, his predecessor, but with Grundy he was willing to concede the extra expenditure as necessary for the extension of postal routes. When he had refuted the vicious attacks made against him he in turn vindictively opposed the committee's manner of examination. According to his statements they had carried their investigation into his secret and private life, where it was unofficial.<sup>94</sup> He boldly took issue with his inquisitorial accusers, and exposed a series of false interpretations and misstatements.<sup>95</sup>

#### *Final Report of Committee.*

It seemed as if the investigation would never be completed, for the various reports requested took much time for the Post Office clerks to assemble. Near the close of the long session of the twenty-third Congress, the standing committee had obtained enough material to present final reports to the Senate. The two reports submitted did not

<sup>90</sup>*Niles' Register*, Vol. XLVI, pp. 185, 314.

<sup>91</sup>*Ibid.*, Vol. XLVI, pp. 338-344.

<sup>92</sup>Bowers: *The Party Battles of the Jackson Period*, p. 372. *Debates of Congress*, Vol. XI, pt. II, p. 620.

<sup>93</sup>*Debates in Congress*, Vol. VII, Pt. III, p. 20; Vol. X, Pt. II, p. 1192; Vol. XI, Pt. I, pp. 340, 620; *Niles Register*, Vol. XLVI, p. 161. *Autobiography of Martin Van Buren*, p. 445. *Autobiography of Amos Kendall*, p. 337. *Union*, May 18, 1835; *National Gazette and Literary Register*, May 15, 1834.

<sup>94</sup>*Debates in Congress*, Vol. X, Pt. II, p. 2106; *National Gazette and Literary Register*, May 16, 1831.

<sup>95</sup>*Nashville Republication and State Gazette*, July 10, 15, 1834; December 23, 1834.

concur in every detail. Grundy and Robertson differed somewhat in their opinions from Ewing<sup>96</sup> and the other two members. The report of the majority preferred many charges against Barry's department, which they summed up in fourteen resolutions and presented to the Senate. Eight of the resolutions accused the Post Office Department of irregularities, corruption, and illegalities in letting contracts to mail carriers. The majority of the committee believed that the Postmaster General had altogether eliminated competition, for there was no advertising, favoritism was displayed, and combined bidding was practiced. In addition to this the departmental clerks had been allowed to contract, extra allowances were given, and the contractors had become newspaper owners, thereby uniting this department with the press. Three others censured the depleted financial affairs and the loan, which was negotiated without the authority of Congress. Two more criticized the method of transportation, and the fourteenth was that the reports of the department did not tally with one another and therefore could not be depended upon.<sup>97</sup>

Mr. Ewing, who read their report, recommended that such conditions necessitated a change in the organization of this department. Too much power had been given the Postmaster General, for there was not a sufficient check upon his actions. The Ohio Senator suggested that there should be inaugurated some system whereby the collection and disbursement of the revenue of the department should pass through different officials entirely independent of one another.

#### *Amount of Indebtedness.*

Mr. Grundy presented the minority report, without any attempt to deny the accusations of allowances and loans. His document was moderate, for he neither condemned nor entirely condoned the Postmaster General. The greatest difference between the two reports was the amount of the department's indebtedness. The majority estimated it as eight hundred thousand dollars, while the minority's figures were approximately three hundred thousand.<sup>98</sup> Grundy accounted for the variance due to the different views of the subject. The minority took into consideration the ever changing financial standing as credits and debits were

<sup>96</sup>Mr. Ewing was a member of the standing committee of Post Offices and Post Roads. From time to time the personnel of the Committee had been changed, but Grundy, who was now chairman, had served on it continually.

<sup>97</sup>*Debates in Congress*, Vol. X, Pt. II, pp. 1914-1915. Vol. XI, Pt. I, Appendix, p. 381.

<sup>98</sup>*Debates in Congress*, Vol. X, Pt. II, p. 1932.

entered upon the books; while the majority followed the rule that "the debts collected shall be deducted from the means of the department, while debts against the department shall be considered as undiminished."<sup>99</sup>

The Tennessee Senator partially exonerated Barry for borrowing on his own personal credit, due to the financial basis upon which the department was run. It, alone, was required to support itself upon the revenue accruing from postage collected from more than ten thousand postmasters scattered over the United States. The department, to maintain its credit often met its current obligations before the collections arrived in Washington. This arrangement caused embarrassments, and Grundy was able to see the shortcomings of the system. Grundy accepted Barry's statement that he was unaware of the real financial condition of the department until the crisis faced him. False reports had misled the Postmaster General, and as a consequence he was forced to negotiate a loan immediately or else to withhold salaries from the contractors and officials. Barry chose the first course, and Grundy agreed with him.<sup>100</sup>

*Recommends Reorganization.*

The Chairman of the committee agreed with Mr. Ewing that the department should be reorganized along the lines of the other executive branches, but not according to the stringent resolutions of the majority. Grundy proposed to check the Postmaster General by requiring him to report at the beginning of each session all improvements and alterations with reasons assigned. He submitted a plan for reorganizing the Post Office upon a safe and economical basis, which conformed materially with this idea. The Tennessean's scheme provided for an auditor and treasurer, appointed by the President and the Senate, to look after the fiscal interests of the department and to report annually to Congress a detailed account of his expenditures. Post Office officials could neither be mail contractors nor have any interests in such contracting; while bids for mail carrying, made previous to the regular lettings, were to remain closed until all were received and the stated period had closed. Grundy realized that the method of contracting had been abused and that contracts had not been carried out according to the original agreement, therefore he hoped to eliminate these irregularities by requiring full reports of all contracts, schedules, and failure of contracts.<sup>101</sup>

<sup>99</sup>*Idem.*

<sup>100</sup>*Debates in Congress*, Vol. X, Pt. II, pp. 1932-1934.

<sup>101</sup>*Debates in Congress*, Vol. XI, Pt. II, Appendix, p. 394.

This suggested plan took care of the contracts in minute details, but as far as actual organization it was lacking, except for the first provision. Grundy still felt that the majority had not been quite fair in all of its statements in the report, for they based the greater part of their contentions upon Abraham Bradley's memorial, while the minority had used the route-book compiled from information given by local postmasters. The Tennessean considered this latter source as the more reliable, for Bradley did not have the means to make accurate estimations of transportation.<sup>102</sup>

### *The New Plan.*

After four years of discord in Congress, the members finally united their efforts to change the organization of this important department in the executive branch of the government. All admitted the need for a sounder financial basis, and all favored the change as soon as possible. On January 27, 1835, after every report had been received, the committee was ready to commence work in the Senate to accomplish this result. Some commented on the bill as being in accord with the true principles of the Constitution, for it limited the terms of all postmasters and put them under the control of the Senate. This was a partial victory of the anti-administration men in that the Senate could not interfere and check the operation of the department, if the occasion arose.

Useless to say, the measure was a product of the majority, but there were some in the Senate who were unwilling to accept it in its entirety. Mr. Porter, of Mississippi, suggested that Grundy's plan be recommitted, for he felt certain valuable points could be obtained from it.<sup>103</sup> Such a motion could not be successful, as the will of the Senate early displayed, but in order not to delay business, Grundy withdrew his measure for reorganization, provided with the reservation that he should be allowed to offer amendments to Mr. Ewing's bill. Calhoun tried to force the bill through unamended on the pretense of immediate need, but Grundy would not agree to this, for he considered many important omissions had been made.<sup>104</sup>

### *Amendments.*

The minority leader gained his point, and on February 4, 1835, when the bill was taken up, he immediately began to

<sup>102</sup>*Debates in Congress*, Vol. X, Pt. II, p. 1932.

<sup>103</sup>*Debates in Congress*, Vol. XI, Pt. I, p. 245.

<sup>104</sup>*Debates in Congress*, Vol. XI, Pt. I, pp. 248, 269.



amend. The first amendment struck out that provision creating a new officer "to be called the Solicitor," and transferred the duties to be performed by him to the Solicitor of the Treasury. This one was accepted without debate. With the second one, Grundy did not succeed so well. It eliminated the provision limiting allowances to contractors to double the amount of postage accruing on their routes. The opposition immediately objected and maintained its intention to defeat the amendment in order to keep down corruption and expenses. Grundy felt that the restriction was "carrying legislation too far," and would eventually react in the wrong direction in that contracts would be let at a maximum level at the beginning in order to receive just compensation in case additional services were demanded. When this amendment failed, the Tennessee Senator was ready with another. It was to be inserted as Section 15, and it limited contracts to the resources of the General Post Office and provided for the Postmaster General to regulate improvements and contracts.

*Post Office Should Maintain Itself.*

This amendment, based upon the principle that the Post Office should maintain itself upon its own resources and not resort to the public treasury, of course received the unanimous approval of the Senate. The fourth, fifth, and sixth amendments submitted by Grundy may be classified as relating to the indebtedness of the department. The first of these was to be Section 16, and it provided that all the indebtedness accruing before March 31, 1835, was to be paid by the United States Treasury out of money not already appropriated. Grundy considered it only fair to pay the department's creditors as the new bill had different arrangement for the payment of its future debts. Ewing and others realized the uncertainty of the appropriation that would be needed and on that ground their objections were strenuous. With such a strong opposition against the amendment, Grundy withdrew it. The second one of this group made provisions that all accounts of the General Post Office Department be kept separate, so far as possible, from all other accounts in the books of the Treasurer of the United States, after the money affairs were assumed by the main Treasury Department. It further stated that all demands against the General Post Office should be signed by the Postmaster General. This one soon passed, and Grundy presented the last of the three amendments mentioned above. It pertained to the discharge of the indebtedness.

*Discharge of Indebtedness.*

It allowed the newly created commissioners to transfer debts "due from postmasters (who do not make deposits in bank)"<sup>105</sup> by drafts, in favor of contractors, in discharge of debts due each contractor, for services rendered which may have been rendered prior to the time of drawing such drafts." This amendment occasioned very little comment and consequently it was quickly approved. The next two were respectively akin to the second and seventh provisions of his proposal which he had submitted with the minority report. The required annual reports of contracts, allowances, expenditures, and schedules as his earlier scheme had requested, and with their adoption was the fulfillment of Mr. Porter's foresight. The last amendment offered by the Tennessean provided for an oath to be taken by all the postmasters. This, not unusual in its nature, was merely a formality required of all public officials, and of course no one objected.<sup>106</sup>

After Grundy had submitted his numerous amendments, he did not participate in the debate for six days. On the tenth of February, just before the bill was voted on, Grundy informed the Senate that he had been instructed to present two more amendments. They were to fix a definite salary for clerks and messengers in the employ of the Post Office Department. With no further comment from the floor the bill to reorganize this executive branch was read and passed by the Senate for the first time.

*Grundy Supposed to be Rewarded.*

With this much of the investigation over, it was evident that the entire affair had not been settled for public sentiment was deeply concerned with a case of this sort which aroused much party bitterness. It has always been the result and will probably always be, that when a probe of important officials or departments is ordered public feeling becomes pitched to the highest string. Papers and people gossip, and exaggeration is bound to enter when the course of procedure is not confined to secrecy behind closed doors. The same proved true with this investigation, for hardly had the votes been counted in the Senate, than rumors began to be heard from different sources that Grundy's defense of the department was to be rewarded by a Cabinet position—the Postmaster General. Barry certainly could not remain at the head of the department, and this furnished the press

<sup>105</sup>Words in parentheses by Senator Knight.

<sup>106</sup>*Debates in Congress*, Vol. XI, Pt. I, pp. 309-327, 341-358.

with material for speculation. Some were so generous as to attribute Barry's leaving the department to bad health, but others came out into the open and said he was incapable of filling the place. If Kendall's words can be taken for their full value, the general inclination is to accept the latter, even though Mr. Grundy had characterized him as a man of no mean business ability. Amos Kendall, during the investigation, worked in the Post Office Department, besides being a close and intimate friend of Jackson's. Conversations between these two then indicated that the President was anxious "to bring order out of chaos."<sup>107</sup> The *Union*, a Nashville paper, did not for a moment doubt that the Tennessean was to be the next Postmaster General, and in an article asserted as an almost positive statement that Grundy would be appointed.<sup>108</sup> The account indicated that the opposition wished to get rid of the Tennessee Senator, that they might "steer" their bills more easily through the Upper House. This was not only press hearsay, but it may be said that the public entertained somewhat the same idea, that Grundy was jockeying for a Cabinet position.<sup>109</sup> All this propaganda did not materialize, and all their surmises came to naught, for Kendall was appointed as Barry's successor, and the former Postmaster General received an appointment as Envoy to Spain.<sup>110</sup>

*Bill Signed by the President.*

After an absence of about sixteen months, the Senate bill to reorganize the Post Office was returned from the House of Representatives on June 14, 1836. The lower chamber had attached to it amendments that required examination of the Senate before it could receive its final vote and pass on to the President for approval. Grundy, the chairman of the standing committee, opened the discussion on the House amendments, which proposed to deprive the postmasters from receiving the rent from the post office, by placing the revenue received from them into the United States Treasury. Grundy did not favor his amendment, but rather than delay the bill any longer, he successfully moved to strike out everything relating to this subject.<sup>111</sup> A few other minor changes were made, and on June 21, 1836,<sup>112</sup> the

<sup>107</sup>*Autobiography of Amos Kendall*, p. 331.

<sup>108</sup>*Union*, April 15, 1835.

<sup>109</sup>*Manuscript letter*, Penn to Van Buren. (See Appendix C.)

<sup>110</sup>*Autobiography of Amos Kendall*, p. 331; *Union*, May 18, 1835; *Union*, June 3, 1835.

<sup>111</sup>*Debates in Congress*, Vol. XII, Pt. II, pp. 1769-1775; 1849-1851.

<sup>112</sup>*Congressional Globe*, Vol. II and III, p. 570.

Senate again passed the bill, and the bill received the President's approval, July 2, 1836.

By the enactment of this measure, Congress completed one of its longest probes. No doubt the Post Office Department was greatly benefited by the change, but the investigation caused strong partisan feeling to arise. All that went on, both behind closed doors and in the open debate, cannot be taken for their true worth, for in such a time words are uttered in excitement. Grundy, the leader of the administration in the Senate all the way through the probe, was forced into some difficult situations. He had to admit that the department had many irregularities, but he was unwilling for Barry's or Jackson's characters to be touched. The Tennessee Senator realized from the beginning that the investigation was a political fight and he directed all his talents to meet the assaults.

## CHAPTER IV

### GRUNDY AND THE UNITED STATES BANK

When the recharter of the United States Bank became one of the leading economic questions and political issues, Grundy was in accord with Jackson's views, even though he had in 1813 suggested the establishment of a national bank in the district of Columbia. At that time dangers threatened the country from all sides; the country was destitute, and Grundy presented his resolution as an emergency measure to meet the critical situation facing the United States.<sup>113</sup> In this Congress he gained fame for himself and was considered one of the leaders of the Lower House. Many had placed him among the instigators of the War of 1812. His judgment was outstanding even then, but it had not reached the seasoned and mature heights that it later displayed in 1832, when the Bank really became a matter of vital importance. Grundy had not always shown favor to banking institutions, for as early as 1804, while serving in the Legislature of Kentucky, he came into conflict with Clay over a measure which had been passed on this particular subject. On its face the banking privileges were concealed, but Grundy soon discovered that the name Lexington Insurance Company served only as a ruse to hide its real business purposes. He succeeded in the House in repealing the charter

<sup>113</sup>*Debates in Congress*, Vol. X, Pt. II, p. 691.

of the company, but in the Senate he failed to overcome Clay's support.<sup>114</sup>

#### GRUNDY'S ATTITUDE NOT CONSISTENT

Grundy's attitude towards the bank as an institution does not always seem consistent, if his stand on the question at different times is considered. On the two occasions previously mentioned, Grundy differed in his opinion, advocating the bank in the first instance and disapproving it in the latter. In 1819 in the third year of its existence, Grundy favored the establishment of a branch of the United States Bank in Nashville. He, with others, petitioned the President of the United States Bank, and they even went so far as to suggest the names of men, whom they considered would make a capable board of managers. It seems but natural that even the opponents of a national bank should desire the facilities of a branch in their immediate neighborhood, if the institution was going to operate. White, in 1832, challenged what he considered an inconsistency in Grundy's views,<sup>115</sup> whether or not such criticism was justifiable.

In spite of Grundy's earlier variances of belief in regard to the United States Bank, he now became a true disciple of Jackson in 1832. Grundy, before his election to the United States Senate in 1829, openly declared his allegiance to the Jackson stand against the Bank. On May 22, 1829, in a letter to Jackson,<sup>116</sup> he complimented the President's position that no bank should be allowed to operate which was monopolistic in character. Just before the Tennessee Legislature chose Grundy to represent the State in the Senate, he wrote the Chief Executive and outlined at length the kind of national bank that he favored and would support.

#### DIRECTORS TO BE APPOINTED BY CONGRESS

His plan was democratic in nature, as all the menacing monopolistic elements were eliminated by placing the power of appointing directors in Congress and not in the hands of the Executive. He further said, "The basis should be, the revenue of the United States. Say the capital should be forty millions, the principal Bank located in Philadelphia, with all the powers, over the Branches usual in such institutions." Grundy wanted the forty million capital to be divided, placing "twenty millions of it among the States, according to their representation in Congress, and establish

<sup>114</sup>Thos. H. Clay: *Henry Clay*, p. 37. John M. Bright: *Oration on Life, Character, and Public Services of Felix Grundy*, pp. 11-12.

<sup>115</sup>Scott: *Memoirs of Hugh L. White*, pp. 21-22.

<sup>116</sup>Bassett: *Correspondence of Andrew Jackson*, Vol. IV, p. 37.

a Branch in each State." The Tennessean at once realized the situation that this branch system occasioned, for each branch bank would necessarily need a board of directors, and who was to appoint them caused him no little worry. These democratic principles formed the basis of his solution for this problem of selection. "I would say therefore," the letter to Jackson continued, "that the representation in Congress from each State should choose the Directors of the Branches, of their respective States." He was not willing that any one State should be ruled by a Congress that perhaps might entertain an opinion not in accord with the States. Grundy's devotion to State sovereignty may be recognized in his bank plan, for he proposed that all profits arising from the portion of the Capital deposited in the State should be "applied to making such internal improvements in each State, as might be directed by Congress and agreed to by each State respectively, so that none of the profits of any Branch would be withdrawn from the State and in all cases of such internal improvements being made, the sovereignty and ownership to be in the States respectively." With such statements coming from Grundy, it was to be expected that Jackson would give his support to Grundy's election to the United States Senate.

Jackson entered upon his executive duties determined to carry out the idea, so far as he was able, that the United States Bank charter should not be extended beyond 1836, and in Felix Grundy he found strong support. However, Grundy was not so active, as the Post Office Investigation and the Force Bill consumed the greater part of the Tennessean's services.

#### RECHARTER OF THE UNITED STATES BANK

Although the recharter of the United States Bank had been brought up in Congress as early as 1829, the real fight with this question did not commence until Jackson's second term in 1833. The recharter had furnished Clay his principal contention for the presidential election. Of course, the attack on the Anti-Bank men was not confined to Congress, but the fight centered there. The opposition in the Senate realized that to defeat the aims of the administration presented a difficult task, for to command a two-thirds majority in this body was practically impossible. The initial step taken by the opposition to cope with the situation in Congress came in the form of Clay's resolution early in the first session of the twenty-third Congress. The Kentuckian who with a number of his colleagues had pledged himself to resist every move of the administration wished that the selec-

tion of the standing committees should be chosen by the body at large.<sup>117</sup> Since 1823 the presiding officer had exercised this power in the Upper House, and now as Van Buren became the President of this body, the opposition endeavored to withhold this privilege from him and again place it with the whole Senate. They hoped to be able to choose committees which would throw obstacles in Jackson's way, and in the event that they could not accomplish this, then these committees would exert all their efforts to push the recharter bill through.<sup>118</sup> Grundy understood only too well all this manoeuvring within the ranks of his political foes, and he at once made an effort to oppose their recommendation. Because Webster also opposed Clay's resolution, Grundy had hoped to gain the support of the New Englander.<sup>119</sup>

#### WEBSTER-JACKSON COALITION PROPOSED

When Grundy found Webster to be in sympathy with his own motion to postpone the election of the committees until the Senate had fully assembled,<sup>120</sup> he was further encouraged to hope for such an affiliation. Every New England Senator, with the exception of Mr. Sprague, voted with Grundy for postponement.<sup>121</sup> All during the procedure, White, the other Tennessee Senator, acted in the capacity of President *pro tempore*, as the new Vice-President did not arrive in Washington until after the rule had been changed. Van Buren knew nothing of the new arrangement, but immediately upon his arrival in the Capitol, Grundy told him of all the happenings of the past weeks, and confided in him the secret hopes that he entertained. Grundy presented the facts concerning the committee rule and Webster's opinions on the matter, then he informed Van Buren, in the presence of Jackson, that he thought a Webster-Jackson coalition was possible. To this suggestion Van Buren entered strenuous objections, and in all probability his utter lack of sympathy found expression in none too delicate terms. However, the coalition was dropped, and Grundy accepted Van Buren's judgment.<sup>122</sup>

Grundy, no doubt, was endeavoring to gain as much power behind the "throne" as possible, but why he considered for a moment that Webster would join hands with the Anti-Bank men is confusing. From the beginning Van

<sup>117</sup>*Debates in Congress*, Vol. X, Pt. I, pp. 19-24, 27-29. *Congressional Globe*, Vol. I, p. 42.

<sup>118</sup>*Van Buren's Autobiography*, p. 673.

<sup>119</sup>*Ibid.*, p. 677.

<sup>120</sup>*Debates in Congress*, Vol. X, Pt. II, pp. 28-29.

<sup>121</sup>*Van Buren's Autobiography*, p. 677.

<sup>122</sup>*Van Buren's Autobiography*, p. 678. -

Buren foresaw the impracticability of such a suggestion and he discounted the value of Grundy's scheme.<sup>123</sup>

#### GRUNDY INSTRUCTED BY TENNESSEE

With the selection of the committee once again restored to the Senate as a whole, the curtain was ready to rise, and the entire country's attention would center on the United States Bank and all the questions growing out of its operation. As said previously, Senator Grundy was not able to take any active part in the scenes which occurred on the immediate rechartering of the Bank, but he had already been instructed by the Tennessee Assembly in 1830 to vote against recharter, and he intended to obey all resolutions from that body. Whenever the occasion arose, Grundy always voted negatively for measures which tended to continue the Bank's monopolistic privileges, and he gave an affirmative vote for all resolutions to restrict the United States Bank. He favored Benton's resolutions which would reduce the powers the national bank had assumed. The first one eliminated the exclusive privileges granted the stockholders of the United States Bank; the second prohibited the members of Congress or officers of the Federal Government, or any alien from holding any stock in the Bank; and by the third, stockholders were made liable for the amount equal to their stock should the Bank fail.<sup>124</sup> Grundy by supporting these three measures of the Missourians contributed his part to kill an institution which he and the administration considered an exclusive moneyed organization. In line with this reasoning, Grundy on another occasion voted to increase the amount of bonus paid the United States by the Bank, as the profits of this institution were becoming so large.<sup>125</sup> As Jackson vetoed the recharter bill and the majority were unable to obtain a two-thirds majority in Congress, the hopes of the opposition for the time being were dispelled. Time alone could prove, however, how long they were to remain in this more or less defeated state.

#### REMOVES MONEY

Clay and his followers, always on the alert and ready to stage a come-back, waited for the first opportunity which would permit his colleagues and constituents to regain a foothold in Congress. They began to attack Jackson with the first removal of the deposits to the State Banks, for before the President of the United States could draw the

<sup>123</sup>*Ibid.*, p. 679.

<sup>124</sup>*Debates in Congress*, Vol. VIII, Pt. I, pp. 1010-1013.

<sup>125</sup>*Debates in Congress*, Vol. VIII, Pt. I, pp. 10-33.



money from the National Bank in Philadelphia and place it in State institutions, it became necessary for him to make two successive removals from the office of Secretary of the Treasury (McLane and Duane). In the same session of the twenty-third Congress, the Kentucky Senator presented to the Senate resolutions which sought to brand Jackson as a dictator. The first one stated that the Chief Executive had "assumed the exercise of power over the Treasury of the United States, not granted to him by the Constitution and laws, and dangerous to the liberties of the people." The charge grew out of Jackson's removal of McLane and Duane because they would not withdraw the money from the United States Bank and his appointment of Taney who did. The second resolution claimed that the reasons assigned for the removal by the two Secretaries of the Treasury were neither satisfactory nor sufficient.<sup>126</sup> With these two resolutions before the Upper House, the Bank question again assumed an important aspect. Many arguments were given both in support and in opposition, and the same old partisan feelings entered into the debates. All men who had previously spoken for the administration and had defended its policies contributed their part to extricate Jackson from the entangling mesh of criticisms. Grundy, who was now one of the principal Democratic leaders on the floor of the Senate, did not attempt to say anything on Clay's resolutions until January 30, 1834.

#### GRUNDY DEFENDS THE PRESIDENT

With the first few sentences uttered, the Tennessean's attitude could be marked as strictly defensive of the action taken by the President of the United States in regard to the Bank. On the floor of the Senate Grundy's apt statements found a ready welcome from the administration. Already he had gained for himself a name as a defense attorney and now he was given an opportunity to display his talents before the country. His arguments, forceful and direct, exempted both Jackson and Taney from all charges. The attack on Taney had been unrelenting in character and Grundy made an effort to substantiate the action of the Secretary of the Treasury as being consistent to his former beliefs. Taney, from the beginning as Attorney-General, had assured Jackson of the constitutionality of the removals, and Grundy wanted to know if the former Cabinet member could now decline the office in the Treasury Department after having advised the President to remove the public

<sup>126</sup>*Debates in Congress*, Vol. X, Pt. I, pp. 58-59.

moneys to the State Banks. To Grundy, Taney had followed the only possible plan of action, if he had previously acted in good faith. Neither did he consider Jackson's procedure out of the ordinary nor contradictory to the ideals embodied within the Constitution which provided for the three distinct departments of the government to act as checks and balances of one another. Quite the opposite, it was for the sake of unity that the Executive had removed Duane and McLane.

#### UNITY DEMANDED REMOVALS.

They were opposed to the President's policies, and if peace and concord were to reign within the Executive Department no other course could be followed.<sup>127</sup> Grundy considered that Madison had been of somewhat the same opinion as he. The former President had thought the Chief Executive's control over his department more or less absolute since the latter was responsible to the country for the manner in which all its affairs of the department were discharged.<sup>128</sup>

On this same principle, Grundy defended Jackson for the removals from office and the removal of the deposits. Since the Bank charter of 1816 had made no legal provisions for the collection and safe keeping of the deposits the President of the United States, therefore, could determine the method to be followed. Grundy did not deny the right that Congress should be informed of the money removals, or of the reasons which produced them, but he contended that conceding this did not disprove that the Chief Executive could not make removals.

#### REMOVAL OF PUBLIC MONEY

Thus, the Senator's argument against the first of Clay's resolutions may be summed up under two headings: First, the President of the United States possessed the constitutional and legal power to remove the public moneys and place them in such depositories as he pleased, prior to the incorporation of the Bank of the United States in 1816. Second, the Bank charter presented no obstacles to the exercise of the removals of the deposits if the public interest in his judgment required it.<sup>129</sup>

The second resolution of the Kentucky Senator had to do with the actual reasons assigned for the removals of the public money. Clay and all the Bank men hoped if possible to undermine Jackson's purpose in the removals so that the

<sup>127</sup>*Debates in Congress*, Vol. X, Pt. I, pp. 417-418.

<sup>128</sup>*Debates in Congress*, Vol. X, Pt. I, p. 419.

<sup>129</sup>*Debates in Congress*, Vol. X, Pt. I, p. 425.

United States Bank would again enter into its old operations, and with that foremost in their minds they made an attempt to prevent the change of the depository to the State Banks. Grundy realized early in the debate that it was a move to upset the credit of the local banking institutions which had already received some of the public revenue. Besides this, if the United States Bank was allowed to regain the deposits it would be a strategic move for the Bank to be reinstated permanently. Felix Grundy clearly understood the efforts of the opposition to keep the financial affairs in an ever fluctuating state, which would help them to force the recharter bill through the Senate in 1836.<sup>130</sup>

Grundy, always ready to challenge and ever watchful for an opportunity to catch his antagonist in an embarrassing position, seized many an occasion to force them to retract some of their statements. At this point, he asked them if all the maneuvering with the removal of the deposits did not tend to prolong the state of distress, which they never tired of dragging to the front. They had presented innumerable petitions asking for relief, yet Grundy believed they were doing as much as anyone to aggravate the financial conditions, by establishing credit in a locality and then proceeding to tear it down.

#### WHY THE BANK SHOULD NOT CONTINUE

Thoroughly convinced that the opposition was endeavoring to gradually replace the United States Bank, he now denounced their undercover procedure. Grundy, even though he did not participate in the early frays of the struggle over the recharter, opposed it. Now that they were exerting their utmost effort and employing every means, he expressed his political, as well as personal, opinions on the matter. His first reason of why the Bank should not continue was, that it was monopolistic in character which only benefited its few stockholders, and they had enjoyed for twenty years the large profits from the institution. Second, the corporation had possessed the exclusive banking privileges under the authority of the United States and there was no reason why others should not be allowed to participate. Third, Grundy felt that the Bank had abused the privileges given it, for it had "embarked into party politics of the country, under the false pretext of self-defense" and it aspired "to make a President, and direct and control the destinies of the nation." The fourth objection was "its habitual disregard of its charter in transacting its business

<sup>130</sup>*Debates in Congress*, Vol. X, Pt. I, p. 426.

by exchange committees, which should be done by its board of directors."

The charter had provided that seven directors should constitute a board for transacting all of its business, but the Bank had not abided by this rule, and instead all the ordinary business was done by three directors chosen by the Bank's president. Grundy did not consider this procedure legal as it furnished a means whereby many irregularities might occur. Closely allied to the fourth was his fifth that the Government directors were improperly excluded from the participation in the direction of the Bank.

#### RELATION OF THE DIRECTORS TO THE CENTRAL GOVERNMENT

He disagreed with Webster who contended that the relation and duty of the five federal directors to the General Government ceased after they had received their appointment. Senator Grundy believed that the Government retained the exclusive privilege of appointing five directors of the United States Bank whether or not it held stock, and at all times continued to do so, in order that nothing detrimental to the public welfare might occur. Last of his six reasons for opposing the rechartering of the Bank was that too much power had been placed in the hands of one man in a corporation of such powerful means.<sup>131</sup>

Meeting all the attacks of the opposition, Grundy did not end his endeavors to defeat them after giving his reasons for favoring the Anti-Bank men's attitude. Neither did the Bank advocates stop with this attempt to redeposit funds with the United States Bank. The Union in 1835 commented on Grundy's stand in regard to the Bank in terms of admiration. The Senator maintained that all the objections and petitions of the financial stress were mere pretenses, and he understood their foreshadowings. He realized "that the lion was not dead, but sleepeth and that upon a promising occasion, he will rouse up from his slumbers, and exert all his powers for the prolongation of its existence."<sup>132</sup>

#### "THE LION WILL ROUSE UP!"

The article in the *Union* conformed with the belief of Felix Grundy for it mentioned "that within the last four or five months, the Bank has increased its loans in one form or another, more than twelve millions of dollars; that it has its favorite champion in the field as a candidate for the

<sup>131</sup>*Debates in Congress*, Vol. X, Pt. I, pp. 426-427.

<sup>132</sup>*Union*, April 8, 1835.

Presidency.”<sup>133</sup> All of these increases in its operations and influence substantiate Grundy’s contentions, and in fact the Bank was trying to continue the old banking privileges that it had enjoyed. Grundy like many others felt that the Bank must go down, otherwise the United States would have a great moneyed organization that would rule the government, not only the Executive Department—but every department.

Grundy entertained no fear of the possible financial panic resulting from the extinction of the United States Bank, for he did not believe that the wealth, prosperity, and glory of this nation permanently depended upon its money-changers. He considered all the threats of pecuniary ruin as artificial pressures exerted by the exclusive banking classes. They would no doubt, as they had proved, produce inconvenience and distress, and he like Jackson felt if it could intentionally cause so much unrest, then for this reason the Bank should cease to function.<sup>134</sup> The change of the depositories had, of course, decreased the power of the United States Bank, but at the same time, the removals to the States had increased their banking facilities to the amount of the deposits made to them. Grundy could not see that any material change was occasioned as the deposits, in most instances, remained in the same cities as before and consequently the money market experienced no damage.

#### THE PANIC—THREE CAUSES

To three economic causes he attributed the pecuniary embarrassment; first, the dual demand for money to meet the payments of duty bonds of former years and the cash duties for fresh importations; second, the curtailment of the Bank of the United States, for their accommodations were not only diminished, but it imposed the necessity on the State Banks to curtail temporarily their business, lest they should place themselves in the power and at the mercy of the United States Bank; and third, the hesitation manifested by the Bank of the United States and its refusal at some of its branches to accept their respective notes from the State Banks, which received the deposits, or notes payable at different branches, which may have been received in payment of the revenue. The last cause diminished the powers of the State Banks to grant facilities. In addition to these essentially economic causes, he believed there prevailed one even more powerful than any one of the above and it was

<sup>133</sup>*Union*, April 8, 1835.

<sup>134</sup>*Debates in Congress*, Vol. X, Pt. I, pp. 429-431; Vol. X, Pt. II, p. 1557.

that "panic existed in the public mind." The other three could be remedied, but this psychic one if it gained an entrance into the mind would prove a difficult task to overcome.<sup>135</sup>

#### PENNSYLVANIA LAW VS. NATIONAL REGULATION

With this preliminary move from the Bank-men well met and defeated in Congress, the chances for recharter were very scarce. As the year 1836 arrived, the death of the Bank was tolled as a national institution, but as a matter of fact it continued to operate under practically the same conditions as before, except that it became subject to Pennsylvania law instead of national regulation. Grundy, as a member of the Judiciary Committee, early foresaw the imposition upon the Government that the institution wrought. Under the Pennsylvania charter the Bank had not discontinued the issue and circulation of the notes of the United States Bank and as a consequence they still retained the good faith of the United States Government as a pledge behind them which had ceased in 1836. The measure from the Judiciary met opposition, but through much exertion and determined effort it passed. As a result the United States Bank notes were withdrawn from circulation.<sup>136</sup>

The Judiciary's report, which accompanied the bill contained more than an attack upon the "resurrection notes." Grundy vigorously criticised the method which the Bank pursued in closing up its business, as it had excluded Congressional committees from examining the correctness of its proceedings. This form of procedure, he considered a violation and infringement upon the rights of the people of the United States. Although the institution was no longer under national jurisdiction, the United States maintained a great deal of interest in it until 1836, and it was only proper that the Government should be allowed to assist in winding up its affairs.<sup>137</sup>

#### THE INDEPENDENT TREASURY BILL

To the end of his service, Grundy maintained his firm stand against the United States Bank. With the beginning of the year 1840, when the Independent Treasury Bill neared completion, Grundy's interest was again with the administration. The Independent Treasury, which had been designed to take the place of the United States Bank, contained none of the threatening monopolistic tendencies

<sup>135</sup>*Debates in Congress*, Vol. X, Pt. II, p. 428.

<sup>136</sup>*Congressional Globe*, Vol. V, Appendix, pp. 80-81.

<sup>137</sup>*The U. S. Magazine and Democratic Review*, Vol. III, p. 170.

embodied in the old institution. The Tennessee assembly, soon after the bill was introduced, adopted resolutions instructing its Senators and Representatives to vote for the measure.<sup>138</sup> White declined to officially approve the Treasury Bill and rather than disobey the the instructions, he resigned his seat in the Senate January 13, 1840.<sup>139</sup> Grundy's desire was realized. The political enemies of White in Tennessee doubtless welcomed the news, for now the long-sought vacancy could be filled by a man of their own choice, who, like Senator Grundy, would conform to their instructions.<sup>140</sup>

This chapter in the country's history tested to the utmost the fortitude and unswerving fidelity to a principle by that group of Senators and Representatives who carried through to its final completion the elimination of the Bank of the United States from the financial life of the nation. Grundy and his associates clearly realized that their course would be made the basis of a period of commercial depression, but that in the course of years the benefits that would accrue to the country would more than over-balance the loss and temporary suffering.

Nashville, Tenn.

(To be continued)

<sup>138</sup>*Congressional Globe*, Vol. VIII, p. 117.

<sup>139</sup>*Idem*.

<sup>140</sup>*Ibid*, Vol. VI, p. 163; Vol. VIII, p. 117.

## A REVIEW OF A MOST INTERESTING BOOK Containing Tennessee Materials

BY WILLIAM HARPER DAVIS

**COPE: MASTER NATURALIST.** The Life and Letters of Edward Drinkler Cope with a Bibliography of His Writings Classified by Subject. A Study of the Pioneer and Foundation Periods of Vertebrate Palaeontology in America. By Henry Fairfield Osborn, Senior Geologist, U. S. Geological Survey; Honorary Curator, Department of Vertebrate Palaeontology, American Museum of Natural History. With the co-operation of Helen Ann Warren (and others). Illustrated with Drawings and Restorations by Charles R. Knight under the Direction of Professor Cope. 1931. Princeton University Press, Princeton, N. J. London: Humphrey Milford, Oxford University Press. 74 Opp. \$5.00.

This interesting biography of one of the greatest productive naturalists of America, who, as a scientific scholar and philosopher, a comparative anatomist and systematic zoologist in the fields of ichthyology, herpetology and mammalogy, famed in geology and, especially, vertebrate palaeontology—in the field of which he proved the most enterprising, sagacious, energetic and successful of the eminent pioneers of the period—by his most intimate friend and eminent successor, whose name is well known in England, presents a life story of the English ancestry, American background, American and European education and training, of the inspirations and adventures, expeditions and achievements, struggles, remarkable successes, and even, some failures, and of the teachings, of a singularly representative yet highly individualized American man of science, a field and faunal naturalist, a classifier, generalizer and systemizer, a critical philosopher and creative interpreter, brilliant aggressive, militant, the quality, quantity, and significance of whose work is rare in the annals of any science or of any country.

Skilfully and advantageously for the reader has Professor Osborn utilized the brilliant informative and entertaining letters of his subject, from early boyhood throughout all his all too early terminated life. Cope was born in Philadelphia in 1840, where he died in 1897. In the interim he explored the greater part of North America, south of Canada, and made two memorable visits to Europe, where his English, German and French contacts were with the leading contemporaries in the many fields of his interests.



His influence has been profound, prodigious and permanent, like that of his American contemporaries, Leidy and Marsh; of Richard Owen and Thomas Huxley in Great Britain; and indeed like that of their great French predecessors, Cuvier and Lamarck. The biography especially likens him to the last named, whose biological philosophy he adopted and promulgated in his own manner. Indeed he is the best known, among those not familiar with the vast areas of systematic natural history to which he made factual contributions, as the leader in his time of the now somewhat obsolete or obsolescent neo-Lamarckian school in America. Like Lamarck's, the record of his brilliant career of hard work has suffered some eclipse, from which it may now be expected to emerge significant and triumphant, more in accord with his desires, in the light of this biography.

Cope also entered Canada as a visitor and joined the Canadian Geological Survey in 1885, for which he worked until his death in 1897, at which time he was engaged upon a final report of the Upper Cretaceous Vertebrates. Osborn, his biographer, succeeded him. His reports to and discoveries, including descriptions of new species, for the Canadian Survey were numerous and important. He was associated with Drs. R. C. Selwyn and George Mercer Dawson, and in 1885 he became the guest of Sir John William Dawson, Principal (President?) of McGill University. He writes home his impressions of Canada, the country, geology and people. Cope, in early life, explored caves and discovered unusual specimens; traveled in the Eastern states after 1871, working mostly in the great West, the field of his most remarkable labors and discoveries,—after Maryland and Virginia, in 1869 he made his way into Eastern Tennessee.\*

New York City, 522 West 112th St.

Near Mossy Creek,  
Jefferson Co. East Tennessee  
9/4/1869

Dear Father,

Annie and myself reached the Warm Springs N. Ca. a week ago last 5th. day and are by this time pretty well acquainted with the neighborhood. I find that it is a bad location for most of my purposes, and have consequently left Annie and Julia there and come here for a little outlook. That region is excessively mountainous and rather poor; the valleys are narrow and with little limestone. There

\*We here present copies of his official letters in full, written in Tennessee and North Carolina, for which we are indebted to Miss Ruth Tyler, of the American Museum of Natural History, New York City. Ed.

are therefore few caves, few fishes, and few of those products generally which make a country interesting and generally result from a rich soil. Since coming here yesterday I have found more of interest than during my whole stay at the Warm Springs. There is much of Botanical interest in the mountains at the Warm Springs. There is plenty of *Magnolia auriculata* and *Halesia tetrafolia*, *Ulmus alata* and the Mustang Grape which I never saw before. *Elephantopus* is a queer composite reminding one of a *Ruellia* (?). The woods abound with the beautiful deep green *Andromeda racemosa*, which forms beautiful thickets with *Rhododendron* & *Kalmia*, with *A?Arborea*, and *Clethra* 12 feet high, in the richer parts. The grounds near the spring abound in a false strawberry, *Waldstesia fragarioides*. A small Ranunculaceous shrub *Xanthorhiza apiifolia* (?) and the fern *Pheilanthes vestita*, abound. The springs have a temperature of 104 F. and sometimes higher, and are used as a bath. They are said to be useful in cutaneous diseases and we have a chance to try its virtue on Julia, who has a bad scabby face—apparently from impure blood. Little scratches received on the cars, festered and since, little pimples appear and discharge and do not heal, but leave scabs.

It is very disagreeable and we hope that mountain air will benefit it. I am writing at the house of a (for this country) well to do farmer Benj. Zircle by name of Pennsylvania German extraction. I went to Mossy Creek by rail from near the Springs hearing of Zinc Mines there, in hopes of finding some Breccia there, with bones. I did not but heard that Zircle had brought some to the office thinking he had Zinc ore. So I came out here 4½ miles, and find the same cave formation I found in Wythe Co. Va. near the Zinc Mines; i. e. a cave breccia with bones and teeth. Tomorrow I make an examination, but at the first look, I saw adhering to the blocks, the teeth of a cave rat (*Neotoma*) and a deer. There are numerous caves in the country, many very large. I hear of blind fish and of bones and Indian remains etc. This whole region is rich in curiosities and in natural wealth, and has had considerable Indian population, as it will of white. A view from the Rich mountain near the Springs, displays the great width of the Valley of E. Tennessee, with the Cumberland ranges on one side and the great mountains of North Carolina on the other as far as the eye can reach. The eye extends its vision from Virginia to Georgia, to Kentucky and far into North Carolina. The scenery is more picturesque than in Va. as the ranges are not so regular. I hope to write more fully again. We are very well and hope to have letters from Fairfield soon. Please give love to Mother etc. Thy affectionate son,

Edward D. Cope.  
Pleasant Garden McDowell Co N. Ca.  
10/14/69

Dear Father,

Since my last I have been so continually on the go that I have done very little corresponding. I am now put in quod by a rainy day in an out of the way place, and proceed to pay some of my debts. We are at a very pleasant boarding house near the junction of the Catawba River and Buck Creek. The Eastern spurs of the Blue Ridge run out into near view, while to the N. E. the high Linville Range with the Table Mountain, bounds a not very distant horizon. The valley of the Catawba is not very wide here, but is productive of good timber and of corn; the river itself is here about as large as the Brandywine.

Since my last, I left the friendly roof of J. Zircle in Jefferson Co. Tenn. and made a trip to the bank of the Holston in Granger Co. to examine a large cave in the Limestone. I followed it two miles and was cut off by a considerable creek, which prevented progress. The gallery was as large at this point as near the mouth and it was no where so small as to require one to stoop. A little clearing would allow the passage of a two horse team to the end. Just within the mouth the stream is dammed and a race issues which turns a grist mill beyond. I found some nice cave insects and centipeds here.

I attended Friends Meeting near here, in a small log house with slabs for seats. There were a good many present, some in shirt sleeves, others in every variety of costume. A woman friend, Stevens by name, preached a most excellent sermon and appeared in supplication. From this point I went to Knoxville and crossed the Cumberland Mtn. and Waldens Ridge from Coal Creek in Anderson Co., which is at the end of a new R. R. from Knoxville, 40 miles distant from the latter. At Coal Creek I examined the coal mines and formed some idea of the immense resources of Tenn. in this respect. The strata of the Cumberland Mts. are horizontal; and of the Coal Measures, and are productive of coal over a great extent of country. Northern people chiefly Ohioans are working the mines.

I crossed the highest Ridge of the Mtn. on a mule, with a bag of chaff for a saddle, a journey of 15 miles to the head waters of the South fork of the Cumberland River. I put up in a valley, in one of the most beautiful places I have seen, fit for the seat of Eutopia. The locality is retired enough, as there are two ranges of the Cumberland to the westward. *Gordonia*, *andromeda*, *Kalmia*, *Rhododendron*, *pawpaws*, *Magnolias*, *Halisias* etc. etc. grew to their finest proportions. The trees were immense for the forest had much of it, never heard the axe. Panthers, the shyest of the wild beasts, were not uncommon, while the copper head and mountain moccasin snakes were more common even than rattle-snakes. The people know little of the world, and were hospitable, and very curious to see strangers. The mischiefs of the war had entered even here, for as elsewhere, so soon as civil society was disorganized, the bad showed their hand and became robbers of their neighbors, on political pretexts, but when they had opportunity robbed either side alike. This was the case all over the South. I attended a Baptist mtg. first day, and saw a very singular style of worship. It was in the evening and for a time was in the dark. Nearly every woman had a baby. The preaching was of the style that might be called *ranting* almost, and the prayer likewise. There were no forms but the hymns. On leaving I left a considerable number of Friends tracts.

I returned direct to the Warm Springs where I found all well. We remained there a week and then hired a conveyance to take us to Lanes boarding house 6 miles N. of Hendersonville, Henderson Co. N. C. We took two days to it stopping all night at Alexander's 10 miles N. W. of Asheville. Here I procured a fine lot of river fishes and expressed them north. One of these was an 8 lb. "Jack," which is I believe a new Sp. and possibly genus, near *Lucioperca* (pike-perch). It reaches 40 lbs in wt. and is the most savage fish as well as most active and vigorous of the frsh water fishes I know. The black and green perches, the next most active Species, can scarcely be taken in a net, but I took two from the stomach of my *Lucioperca* one of 2 lbs. and they are taken out, of 3-5 lbs. I discovered 30 sp. of fishes in the French Broad river and its tributaries, of which the "Jack" is the largest.

Henderson and Buncomb Cos. are part of that high table land which supports the highest of the Alleghenies, and from which the traveler make a long descent into S. Carolina, E. N. Carolina, and E. Tennessee. Henderson Co. consists of a valley between two ranges, and is crossed by some cross ridges of no great height. Not far east of the Warm Springs the Potsdam Sandstone region gives place to the Mica Slates and Granites of Quebec age, the same that underlie Germantown and Philada. The vegetation alters somewhat and the animals present some differences. I found in Henderson a long erect tubular *Sarracenia* which was always full of many kinds of insects also rare Salamanders etc. The proprietress was wife of an active rebel officer, and six sons, all in the army, of one I afterwards heard dreadful accounts of his cruelty and barbarity. The place is on the main road from Northern So. Carolina to E. Tennessee, and numerous migrating parties passed it, many of them of the most dilapidated appearance. Others were coming for loads of apples, potatoes (irish) etc. which this region produces in a high degree of perfection and great abundance this year.

From a low mountain close by we saw a grand view of the western mountain ranges to Georgia and south Tennessee. The Pisgah range towers to a conic summit at one point to the right is the high Newformed range; behind these the Cold range; still higher and in the rear the Balsalm Mts. tower over all. The Saluda range is on the borders of S. Car. and is lower, while a confusion of mountains are in the highlands of Georgia. We returned to Asheville where Annie and Julia staid a week, while I was gone to the Black Mts. This range contains that series of peaks known as the highest of the Alleghenies. I took thick clothing, gum blanket etc. and rode on a mule along the French Broad River to the Swananoa R. Then up this beautiful stream 12 mi. to the N. Fork which rises in the Black range, and flows between two high chains—the Craggy on the W. and the Blue Ridge on the E. Both of these rise to points higher than Mt. Washington and are covered with fine timber. The valley of the N. Fork is cleared in a narrow, irregular strip. Near the upper part of its course, a small stream leaps 70 ft. over a precipice of the Bulls Head *Mtn.* of the Craggy.

In the morning I started up the Black Knob with a guide, and passed between it and the Potatoe top *Mtn.* to the ridge between them, five miles; then up the ridge to the summit of Mt. Mitchell, and then around the bases of Mt. Gibbs and the Sugarloaf to the top of the highest peak Mr. Clingman. The views from the two peaks are magnificent and no doubt, the most picturesque in the East. N. Am. One sees 1-200 miles of the Cumberland with the great valley at their feet, and the lowlands along the Catawba River, in So. Carolina. There are 25 peaks in sight higher than Mt. Washington; the near ones of the Black, Craggy, and Blue Ridge Ranges present the most picturesque variety, but the great Smoky on the border of Tennessee keeps its back up for a long distance (70 miles) to within 60 ft. of the Clingmans peak. (The latter is 6710 ft ab. tide water). It is a great background to the many ranges east of it, and rises like a wall from the Tennessee Valley. Mitchel's grave is on one of the Knobs which compose the summit of Mt. Clingman; at the foot of the other is a cave beneath overhanging rocks; also a log shanty in which I spent the night with the guide. The mule went into the back room which had neither roof nor floor, and while the guide cut wood, I carpentered trying to stop the gaps between the logs. I nailed up my saddle blanket for protection, and laid down my gum blanket for a bed; for bed cloths I put on my overcoat and covered up with

a shawl. We had a great fire, of wood of *Abies balsamea* (which covers these mountains) and so prepared for the night. Clouds and fog soon covered us, and then the rain began and soaked everything, till after morning light. When I stepped out, we were on an island, with an ocean of white clouds around and at our feet. We ate our breakfast of cold corn bread and chicken and commenced our march through the wet bush for Mitchells Peak. My gum blanket kept me dry and by the time we ascended the peak, the clouds broke and I had a wonderful view of the opening of the vallies, and the looming up of the peaks, which appeared first as black islands in an ocean of snow. When we started on the descent all were clear except the lower ones near the course of the French Broad River, which lay under an immoveable mass of white clouds, whose upper surface looked like that of a vast glacier. On the mountain I found several interest insects, salamanders, and at its base, fishes.

Soon after my return we came here, a days stage-ride from Asheville. We passed the Swananoa Gap, to which there is not much ascent from the West, but a very great one from the East. From it we had a narrow but very distant view towards the East.

Near the top they are sinking a shaft which is to strike a tunnel for the West N. Ca. R. R. now in course of construction. It has reached 75 feet of which 45 ft. is through soapstone. Soon after starting on the descent, a babbling brook disclosed the head waters of the Catawba, a stream the fish, and other fauna of which I have had great curiosity to examine. This place (where I write) has furnished me pretty good opportunity. I have found already 25 sp. of which 6-7 are new; it bears quite a near resemblance to the Delaware in this respect as to the French Broad. The large species I have not yet secured. So far I have obtained on this trip about 70 sp., of which about 20 are new to the books. The descent from Swananoa Gap is not only long and steep but on a very bad road. A stage too is the most uncomfortable vehicle to accomplish it in. The plunging and swinging and jarring gave Annie a headache, but a night's rest relieved her. All the way to this point, the soil has been good and the timber large. Comparatively little of the country is cleared.

I have obtained very few minerals so far; the localities of many of the most important were out of my way, or interfered with either money or time. I go however in a day or two to a *hill* made of Itacolumite (flexible sandstone) I will procure some for the Germantown Academy. I have already found some remarkably large mica etc. and manganese and have saved some of that for you. My plan is to go slowly east to Raleigh or near there and leave Annie and Julia.

I there received a free pass from the State Geologist on the R. R. and will probably visit briefly the fossiliferous beds in the East of the State. I am improving in health and Annie and Julia are very well.

Edw D. Cope.  
Raleigh N. Car. 12/11/1869

Dear Father,

This late winter day we are sitting with open windows, and walking out without shawl or cloak. The weather has been most delightful, and the bright moonlight nights are like anything but winter. We expect to start home in a day or two. We will have been in Raleigh about a week, having come direct from New Garden. Prior to that, I spent four weeks east of this city, engaged in in-

vestigating the marl region, and collecting its fossils. This region is mostly Miocene, and the formation is more largely developed here than in any part of the United States, excepting perhaps Nebraska. It is covered with a great deal of pine forest. The most striking species is the turpentine pine, *P. palustris*, a truly remarkable tree and a great ornament. The leaves are very long and stiff and grow erect, and only on the *ends* of the branchlets, like candelabra. It is one of the largest of forest trees, and of a very deep green. The loblolly pine *P. taeda* is very *abundant*, and almost as fine a tree. It has a more familiar appearance. The swamp and willow oaks have scarcely lost their foliage yet, and the several species of *Ilex* being evergreen, almost deprive winter of its desolation. Nearer the coast the greenness is still more striking. Added to the above trees, are the swamp growths; the several species of *Mureca*, several almost evergreen vines, the *Cyrilla*, and the large leaved *Persea carolineusis*, and several thick leaved *Andromedas*. *Magnolia glauca* was barely shedding its leaves when I left, and a few live oaks were to be seen near Wilmington. *Magnolia grandiflora* is common in all the yards, but rare in the woods. There were many bushes that I did not know. Two species of *Gentiana* were abundant in the sandy woods, which were nearly or quite as beautiful as the fringed species; viz. *G. angustifolia* and *G. saponaria*.

I had pretty good success in my fossil collecting, and with more knowledge of the country could have done much better. I will however be able to make some valuable additions to palaeontology, and will have all the vertebrate fossils obtained by the State Survey to determine. The majority of mammalia are cetaceous, I have at least 15 species of these. The marl is a very valuable fertilizer in this state, and it is more extensively dug here than anywhere else out of New Jersey. The number of species and individuals of Mollusks to be found lying on the heaps thrown out, is something truly wonderful. During my trip, Prof. Kerr State Geologist went to a fossil he knew of, and had it broken out and sent to Raleigh. On my return he invited me to help clean it from the matrix, and determine and name the species if necessary. This I did on condition that the Survey paid my expenses, to which he consented. We have nearly cleaned the huge thing. It is half the cranium of a toothless whale; the left side having been destroyed. The cranium when perfect measured 16-17 feet long, and the whole animal 75-90 ft. Its characters are between the right and finner whales, but I cannot yet make out the genus. The species appears to be new. The bone is very fragile and much crushed.

In traveling through the country I hired horses or more frequently was kindly furnished with animals for my use. I followed the custom of the country in stopping to meals and lodging where my business happened to find me, sometimes paying but mostly not. I found various modes of introduction; often through knowledge of friends or relatives of my hosts in other parts of the country. In general the people of the East are sharper and less friendly to northern people than those of the West. The hotel charges were exorbitant, so that I took care to be far from public houses at night. In the west they were very reasonable. The rebel element was and is stronger here, and I heard comparatively little unionism. At one place only did I experience any discomfort on account of my origin, politics etc. Many of the planters in this section keep savage dogs reminding one of the old days of slavery. These dogs often have bloodhound, oftener bull blood. At one place I had to be escorted both to and from the house by the proprietor so long as I stayed, as his dogs were so

ferocious that no one could go alone near the house. Colored people are always much afraid of them, and the dogs seem sometimes to know this. Such planters as keep them are generally a bad profane lot.

I met a number of friends at Nahunta meeting in Wayne Co. Jesse Hartly an Ohio Friend preached on the day I attended. There would be quite a large meeting if the families of friends all attended, but the younger members often do not seem to know much about the society in that locality. The friend I stayed with had sixteen children; quite a number had married out of the society. It was a great pleasure to get among friends and into a friendly country, after the rebel neighborhoods in Edgecombe and Halifax Cos., for where friends are, Unionism and common sense appear to prevail on all hands.

I have visited the legislature here; there are "five-six quakers, 12-15 niggers, the rest white men," as an old rebel expressed it. The clerk of one of the monthly mtgs. ran for the legislature and was defeated.

We are all in very good health. Annie sends love. Thy aff. son  
Edw. D. Cope.

P. S. I saved the seeds of some of the Pines and other trees for thy arboretum—if they will grow.

#### NOTE

This Office is in need of the *October* number, 1930, Series II, Volume I, No. 1 (7). We will be glad to pay fifty cents for each copy sent in, or will allow credit on annual subscription for \$1.00. Address, Tennessee Historical Magazine, 30 Memorial Building, Nashville, Tenn.

## DOCUMENTS

### AN OLD LETTER

Camp on Natchez River  
Washington Territory  
June 20th 1856.

My Dear Sir: Although it is now over four years since we met, I yet retain a sufficiently grateful remembrance of your many courtesy's, when I visited your state, to feel a strong desire to hear of your welfare, and as Brother Alfred, with his *proverbial* negligence as a correspondent, has not written in several months, I have not, as I usually did through his letters, heard one word of you or yours in a long time. Thus I address a letter to you, and I shall be most happy to hear from you at any and all times.

After completing my education at a Military Academy, I concluded to study law, and for a time fancied I should make a very respectable disciple of Themis (?), but early last year, when the Army was increased by four additional Regiments I sought and readily obtained from President Pierce, the Commission of Lieutenant, and early in July '55, came with one hundred recruits to this remote country in order to participate in the Indian war—which, was then, and is still raging in both this, and Oregon Territory.

We have now pretty well conquered the Indians, but it has been done at vast expense, and by the loss of many valuable lives, from my company alone, I have lost over thirty killed, or disabled by wounds—for life and others have suffered in the same proportion. Whilst the settlers and their family's who have been destroyed must number several hundreds. I have not entered a house in months and my dragoon saddle has been pretty much my home. Yet I like the wild excitement of such a life and do not think anything would tempt me to resign my commission for the monotonous routine of civil life.

With California I am much pleased, as many portions of the state, are valuable for agricultural, as well as mining purposes, but except for grazing stock and cattle Oregon and Washington Territory's are almost worthless, as vegetables and every product of the farm can only be produced by irrigation, the long droughts frequently—or rather *generally* continuing for the six spring and summer months of the year, rendering agriculture—with anything like success, an impossibility.

The climate too is changeable and unhealthy—very hot in the summer and vigorously cold in winter, the thermometer frequently reaching twenty and twenty-five degrees below zero, and chills, of daily occurrence—not only with citizens, but among the soldiery.

I must crave your indulgence for this abominable scrawl, for my desk is my saddle, and the wind and dust penetrate my tent from every side at the same time, not only half strangling me, but frequently carrying this paper from my hand to a distance of several yards.

My address is Fort Vancouver, Washington Territory, *via* San Francisco California. And my Regiment is the 4th.

Pray make my grateful remembrances to Mrs. Donnell, and my respects to Miss Clara, tho' I suppose the latter has quite forgotten me, as she was quite a miss when I was your guest.

With considerations of very high esteem—believe me

Very sincerely and cordially

Your Obt Servant

C. St. Clair Dearing

Lieut. Dragoons, U. S. Army.

To James Donnell Esq  
Leighton Ala.



Series II, Vol. II

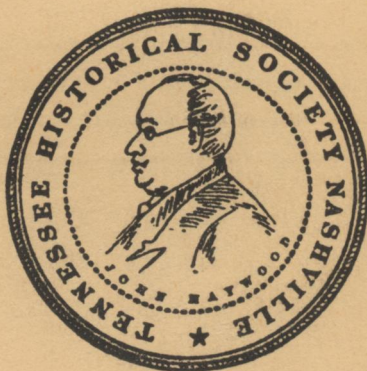
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\*Deceased.

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*General Washington,*  
*President of the United States.*

*From his Profile taken in 1791.*

*Ætat. 59.*

[From Wansey "Journal," 1795]

# TENNESSEE HISTORICAL MAGAZINE

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JANUARY, 1932

No. 2

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## WASHINGTON

BY PAUL HUTCHINSON\*

By proclamation of the President the nation is to devote the period between February 22 and Thanksgiving day to celebration of the two hundredth anniversary of the birth of George Washington. Extraordinary preparations have been made for this celebration. All postage stamps are to bear the image of the first President. All schoolrooms are to display his portrait. Thousands of cities and towns are to hold special commemorative exercises. Periodicals are asked to devote large space to the presentation of Washington's virtues; most of the book publishers include some Washington item on their list of current offerings. A general pilgrimage to the hero's home and grave, and to the national capital which bears his name, has been projected for the coming summer.

Every patriot will rejoice in this celebration. But every intelligent patriot will wish that it may be kept in close contact with realities, both as to the facts concerning Washington and the spirit in which we celebrate his fame. Washington has always suffered from his friends. Generations of American school children have learned to compare the stiff, aristocratic, icily regular Virginia, to his disadvantage, with the more homespun heroes of our national history. And now there is more than a chance that, before these nine months are ended, the effort to "sell George Washington" to the country, by the strident ballyhoo method through which the directing genius of the enterprise has projected the official program, may once again detract from Washington's fame. Before it is too late, someone should whisper in the ear of the Honorable Sol Bloom—who has come to the distinction of managing this bicentenary by way of a career in managing theaters, publishing popular songs and holding down a Tammany district in congress—that George Washington does not need to be sold to Americans.

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\**Christian Century*, February 24, 1932; by permission.



There is a further danger in which Washington's fame stands as this anniversary period opens. In the closing years of his life, Washington found himself in the unhappy position of a pawn in an intense partisan struggle. Having been hailed by one party as the possessor of superhuman virtue and the fount of superhuman wisdom, he was accordingly assailed from the other camp as a menace to his country's liberties. The experience did much to embitter the closing days at Mount Vernon. But it may be repeated in connection with the bicentenary. Already there are signs that a portion of the press and of the political leadership of the country means to seize upon this celebration, not to do Washington true honor by showing the greatness of his character to his countrymen, but as a means of promoting a partisan and a warped interpretation of his meaning for our national history.

#### A NEW WASHINGTON EMERGES

What was there about George Washington that makes the nation eager to mark this bicentenary of his birth? As the mists of history rise, as the myths of the early idol-makers are stripped away, as the patient investigations of the examiners of original sources yield their rich stores of hitherto unknown or unconsidered fact, one curious result almost immediately appears. George Washington will be commemorated in 1932—by those who commemorate him intelligently—for very different reasons from those which inspired the celebrations that were held in 1832. The "Father of His Country" is as worthy of honor now as then. Indeed, with the newer understanding of what manner of man he was, the measure of honor accorded him should increase. But, except to those who persist in living on myth and illusion, the Washington of this second centenary must appear quite unlike the august figure before whom the nation was bidden to bow down a hundred years ago.

#### A MAN AMONG MEN

That stiff and stuffy Washington foisted on a credulous nation by Parson Weems, that paragon of all the virtues has gone. The tortured school child will not be forced this year to listen to tales of moral virtues so perfect as to be repellant. Washington steps out of history a man among men. Six feet three, weighing generally about 210 pounds, his magnificent head losing something of its impressiveness because of his deeply-pitted countenance, his was indeed a presence which it was easy to translate into the frozen image of a Roman senator on a pedestal. But now

we know that he was no frozen image. He had a quick temper, and a capacity for deep anger. In his life as a planter, he worked long hours and he made as many unlucky speculations as any other ordinary mortal. He was driven by the motives that were common to the frontier—land hunger, perhaps more than any other—and sometimes those motives pushed him into something dangerously close to sharp practice. He drove hard bargains; Henry Lee, a neighbor, refused to enter a horse deal with him “because you never pay what anything is worth.” Even the continental congress had reason to know his sharpness in business matters, for while he refused to accept a salary as commander of the army—and gained great praise thereby—he did stipulate that his expenses were to be paid, and the expenses turned out to be much more than the proposed salary would have been. The list of that sort of thing could be lengthened if there was any virtue in doing so. But this is enough to show that the Washington the nation honors in 1932 is no longer the incredible paragon of all the virtues who was paraded before our fathers.

#### AS GENERAL

Neither does the nation any longer see in Washington a military genius. The tradition of his consummate generalship always rested on shaky foundations. That he was brave no one would dispute. That he was a great leader, in the sense of holding half-starved troops loyal to a cause, the record attests, and of that more will be said later. But that he was a great general is at least open to serious dispute. There are many military critics who believe that his attempt to make over the colonial marksmen into the pattern of European armies was a mistake; that the war would have been won more surely, and much more quickly, had the colonials fought as irregulars, in small bands, harrying the British “from behind each fence and farmyard wall” to the end, as they did with such amazing success at the beginning. It was Morgan’s irregulars, according to Burgoyne’s own testimony, who won Saratoga. Over against such fine bits of strategy as Trenton and Princeton must be put the sadly bungled affairs of Long Island, Harlem, Brandywine and Monmouth. It is hard, even at this distance, to read a necessary strategy into the absolute passivity that followed the battle of Monmouth when, for three years and four months, Washington sat down idly in New Jersey without fighting a battle. Even Yorktown, it must be remembered, was essentially a victory for the French fleet.



And if the nation does not celebrate this bicentenary in memory of a paragon of all the virtues or of a military genius, still less does it regard Washington today as a fount of eternal political wisdom. The attempt to find in him a source of verbally inspired political ideas must be given up, because it has become clear, with the publication of his diaries and his correspondence, that he had almost no political philosophy of his own. He was not that kind of man at all. He could sit in the Virginia house of burgesses while Patrick Henry made his immortal "liberty or death" speech, he could vote on the resolutions which that speech supported, and then go home and write in his diary nothing more than a note concerning the hiring of a new gardener and "Cut my clover for hay." Later, as President, while he soon showed his sympathy for the conservative political ideas of most men of his social caste, he showed almost equally his bewilderment at and resentment against the daily clash of conflicting ideas that Hamilton and Jefferson introduced into the cabinet, and others into congress and the press.

#### THE FAREWELL ADDRESS

It is this latter aspect of Washington that makes misleading the attempt to give a lasting political significance to his farewell address, with its warning against entangling alliances. Granted that the address was really written by Hamilton, the ideas on which it was based were undoubtedly Washington's own. But rather than being either words to be explained away by an elaborate process of textual exegesis, as some now seek to do, or an inspired rule of faith and practice to be followed by the nation in all literalness for endless years to come, the warnings of the farewell address are to be taken for just what they were—the sober and appealing words of a worn and apprehensive man. In the later years of his administration, he had seen the country squarely divided by political partisanship—and he distrusted and feared partisanship. He had seen that partisanship, dating from the demand of France that the United States recognize its obligations under the treaty made by Franklin in 1778 and come to her aid against England, polarize more and more about the fortunes of the European conflict. It was to guard against dissolution at home, to give the infant republic time in which to gather its strength, that he warned against "permanent alliances with any portion of the foreign world." His words were an echo, not of a political philosophy, but of his own bitterness over the quarrels that had wrecked his own cabinet. And, for the

time and the purpose that he had in mind, they were abundantly justified.

But all this is, after all, a consideration of what Washington was not. And it is because of what he was that he became the father of his country, and that his bicentenary is to be made an occasion of national commemoration. What, when all the distortions and myths are stripped away, was he?

#### A MAN OF ACTION

Preeminently, he was a man of action. Vachel Lindsay said in these pages a year ago that George Washington was an Indian chief, with his feathers and war-paint all on. That he was. There is something titanic about the way, from the years before he was out of his teens until his retirement from the presidency, he *was in the full tide of action*. Even in those somewhat hidden years, after the close of the French and Indian War and before the coming of the revolution, when he went back to the Mount Vernon which his brother's death had left him and there, by his marriage with wealthy Martha Dandridge, began building up his great estate, he was usually engaged in some campaign of some sort. Sometimes it was political, with George Mason supplying the ideas and George Washington pushing them in the house of burgesses. Sometimes it was business, for he was mixed up in practically all the land company, road and canal promotions of the day. Always he was the man who proposed action. When, for example, the second continental congress met to decide on what course to pursue in the face of the king's contemptuous silence, Washington alone attended in uniform. That was his answer; he was for action.

#### FLAWLESS COURAGE

Coupled with that was, of course, his flawless courage. This courage was even more moral than physical. The fortune that he put to the touch by accepting command of the continental army was the largest fortune in the colonies. He had more to lose and less to gain from embarking on the course of revolution than any of his comrades. Yet, after Thomas Paine's "Common Sense" had broken down the last of his mental misgivings, he seems never to have hesitated. And from then on, he never faltered. Perhaps his moral courage appears most sublimely in the devotion which he gave to a cause that, even to his own eyes, seemed at times almost hopeless. Washington was certainly not one of Paine's "sunshine patriots." He was plagued with a mercurial temperament that could plunge him, on occa-

sion, into the blackest despondency. This, coupled with the genuinely desperate character of the situation, made some of his letters to congress about as doleful as any ever written. But the fact to be noted is, not that Washington gave way to despondency, but that, in spite of it, he never for a moment entertained the idea of giving up the fight. It is the man who can keep on fighting when he clearly sees the strength of the forces against him who best deserves the name of hero.

The great thing that he had to give the colonies, and later the infant republic, and the great thing that he has to give the nation today, was that intangible thing called character. Many men surpassed him, in that remarkable period, in the possession of certain talents. None approached him in moral stature. There was that about him which made men begin by respecting him, and end by being ready to follow him to death. After all is said and done, Valley Forge was his great victory. "We see now," writes James Truslow Adams, "that the revolution was only saved from being an abortive rebellion by two factors, neither of which could be counted on in 1776—one the character of Washington, and the other the marshaling against England of European powers." And again: "Without him the cause would have been irretrievably lost, and the thunder of the orators would have rumbled long since into forgetful silence. When the days were blackest, men clung to his unflinching courage as the last firm ground in a rising flood. When, later, the forces of disunion in the new country seemed to threaten disruption, men again rallied to him as the sole bond of union. Legacy to America from these troubled years, he is, apart from independence itself, the noblest heritage of all."

Viewing this Washington, one may be permitted to believe that there is almost a providential quality in the fact that his bicentenary should have fallen in this confused, hesitant, fear-stricken year. The nation has no need of marble heroes, safely immured upon their lofty pedestals. It has enough of them, and to spare. It needs no man on horseback; no incarnated delphic oracle. But the sight of a man who, for the sake of the common cause, would endanger all his personal fortunes, who in the hour of danger would show readiness to act, and who in the hour of desperation would give evidence of the sublimity of human character—this is a father of his country from whom the sons may gather inspiration and wisdom to live today.

# THE FIRST TERRITORIAL DIVISION NAMED FOR WASHINGTON

SAMUEL C. WILLIAMS

The people of the Tennessee Country on the waters of the Watauga and Nolachucky Rivers lived from 1772 under the famous articles of association that constituted an independent government which is referred to by historians as the "Watauga Association."

They lived on lands that belonged to the Overhill Cherokee Indians. These they rented from the Indians for a term of ten years, the lease having been negotiated in 1771 by James Robertson and John Bean who courageously went into the Indian towns for the purpose.<sup>1</sup>

Following by two days the treaty of purchase by Richard Henderson and Company of the Transylvania and Cumberland regions at Sycamore Shoals of Watauga on March 17, 1775, the Wataugans bargained with the Overhill Cherokees for a title in fee, with the result that there was executed to Charles Robertson, as trustee for the people, a deed of conveyance for the territory that reached from the ridge at the head of South Indian Creek (in the present Unicoi County) eastwardly "to the Blue Ridge or line dividing North Carolina from the Cherokee lands,<sup>2</sup> . . . including all the waters of Watauga, part of the waters of Holston and the head branches of New River."<sup>3</sup>

The land-office of the Watauga Association began to issue patents for those lands to previous occupants and to incoming purchasers as early as May 7, 1775.<sup>4</sup> This led to a rapid inflow of settlers to the region and to the Brown Settlement below, on the Nolachucky, acquired at the same time from the Indians under a distinct deed.

<sup>1</sup>The earliest historical account is that written by Moses Fisk in 1816, and published in *Mass. Hist. Coll.* (2 ser.), Vol. VII, p. 59; reprinted in *Am. Hist. Mag.* (Nashville), Vol. II, p. 17. Fisk, followed by Haywood, states that the term of the lease was eight years, but the statement in the Petition of the Inhabitants of Washington District (in text below) states ten years, and it must be deemed the correct term.

<sup>2</sup>This line, fixed under the proclamation of 1763, ran along the eastern base of the Blue Ridge. So there was granted by the Cherokees to the Wataugans that ridge, proper, at the point of contact.

<sup>3</sup>The Watauga and New Rivers have their sources at the base of Grandfather Mountain, which is the corner of Caldwell, Avery and Watauga Counties, North Carolina. As will be seen below, the eastern limit of Washington District extended further eastward to take in the head branches of the New.

<sup>4</sup>The surveyor was Wm. Bailey Smith, and the clerk of the land-office was James Smith. As to the latter, see Williams, *Early Travels in the Tennessee Country*, p. 251; Ramsey, *Annals*, p. 120. It is the opinion of the writer that Wm. Tatham received his first instruction under Wm. Bailey Smith in surveying these patents which started Tatham on his career as civil engineer and map-maker.

These purchases from the Cherokees and these settlements were in disregard of King George's proclamation of 1763, barring such west of the Blue Ridge. The Wataugans were compelled thus to strengthen their claim by the attitude of John Stuart, the superintendent of Southern Indian affairs. That official had on February 22, 1774, written of "a very large settlement on the Watauga River upwards of fifty miles beyond their [the Indians'] boundary. . . . I have ordered an interpreter with a party of principal Indians to warn them to remove within a certain time, and should they then neglect to move off I am much afraid it will be impossible to restrain the Indians from taking redress themselves by robbing and perhaps murdering some of them."<sup>5</sup>

About a year after their land conveyances to the whites, the Cherokees denied that they had sold the lands and given "a paper for it," though a lease by them was, in effect, admitted.<sup>6</sup> In 1777 at the treaty of Long Island of Holston, Oconostota and The Raven admitted the execution of the deeds, but urged that "fear only made us agree to it." "I told the Watauga and Nonachuchie [Nolachucky] people if he [the King of England] agreed to it then they must stay. . . . They gave us guns. . . . I told them that we could not take pay for the lands but rent only."<sup>7</sup>

Stuart and Cameron had been forward in advising the Indians as to the protection afforded them by the proclamation of the King in 1763.

Sensing danger early in 1776 from a red cloud to the south, the settlers began the construction of forts on their side of the Indian line as defined in their deeds from the Cherokees. One of these<sup>8</sup> was located on Limestone Creek a short distance above its mouth, named Fort Lee in honor of General Charles Lee, in command of the revolutionary forces in the South; another was, it seems, on the Nolachucky further up<sup>9</sup> and yet others up the valley.

<sup>5</sup>To Gov. Martin, of North Carolina. *N. C. Col. Rec.*, Vol. IX, p. 325. Martin had just written to the Earl of Dartmouth of the disposition of the people of the country to sit down on lands without title and afterwards claim "under the robust Title of Occupancy." *Ib.*, p. 822. Gov. Martin issued an order for the removal of all who had settled on Indian lands. *Ib.*, pp. 982, 1106.

<sup>6</sup>*N. C. St. Rec.*, Vol. XXII, p. 995.

<sup>7</sup>*N. C. Historical Review*, Vol. VIII, p. 83, in contribution of Dr. Archibald Henderson.

<sup>8</sup>At Gillespie's Fort, Limestone Station, on the Southern Railway. John Sevier was in command as lieutenant. Ramsey mistook it for Watauga Fort. *Annals*, p. 150. Tatham, who was one of the defenders of the latter fort, gives its name as "Fort Caswell."

<sup>9</sup>It was to these forts that John Stuart referred in a letter of 1776: "The Cherokees became exceedingly alarmed by seeing a Row of stockaded Forts 15 miles distant from each other erected by the Rebels along their frontiers and at a small distance from their [the Indians'] Towns." *N. C. Col. Rec.*, Vol. X, p. 763. In fact, the nearest of these forts was above one hundred miles from the Cherokee towns on Little Tennessee River.

The Indians made a foray in force the latter part of July, 1776, dividing their warriors into three divisions for simultaneous attacks on the Watauga, Holston and Carter's Valley settlements. The fort on the Watauga, named Fort Caswell, was besieged; and in a sharp open conflict the Holston bordermen hurled back the Cherokees under Chief Dragging Canoe at Island Flats, winning what was, in fact, the first battle of the Revolution in the West.

The Wataugans, having learned of plans for a concerted British attack on Charleston by land forces under Sir Henry Clinton and naval forces under Sir Peter Parker, had answered a call from Mecklenburg County, North Carolina, and sent in May a platoon of their younger men to Charleston which took part in the successful defense of that city.<sup>10</sup>

The fact that such a small population in the West<sup>11</sup> behind the Alleghanies thus took part in the two opening contests of the Revolution in the South and West, in June-July, 1776, affords the strongest possible proof of the deep sincerity of the people in their protestations of loyalty to the American cause as well as to their initiative and bravery.

Before the Cherokees made their attacks the distraught settlers met in convention and prepared a petition to the Provincial Congress of North Carolina, praying to be taken under the protection of North Carolina. This instrument was, as after-events proved, of deep significance in the history of the Old Southwest. It ran:

To the Hon. the Provincial Council of North Carolina:

The humble petition of the inhabitants of Washington District, including the River Wataugah, Nonachuckie, &c., in committee assembled, Humbly Sheweth, that about six years ago, Col. Donelson, (in behalf of the Colony of Virginia), held a Treaty with the Cherokee Indians, in order to purchase the lands of the Western Frontiers; in consequence of which Treaty, many of your petitioners settled on the lands of the Wataugah, &c., expecting to be within the Virginia line, and consequently hold their lands by their improvements as first settlers; but to their great disappointment, when the line was run they were (contrary to their expectation) left out; finding themselves thus disappointed, and being too inconveniently situated to move back, and feeling an unwillingness to loose the labour bestowed on their plantations, they applied to the Cherokee Indians, and leased the land for a term of ten years, before the expiration of which term, it appeared that many persons of distinction were actually making purchases forever; thus yielding a precedent, (supposing many of them, who were gentlemen of the law, to be better judges of the con-

<sup>10</sup>Williams, *First Volunteers of the Volunteer State*, Tenn. Hist. Mag., Vol. VIII, p. 132.

<sup>11</sup>Tatham in his writings says of the defense of Watauga Fort: "At Watauga, men, boys and negroes fit to bear arms, but not well armed, under Capt. James Robertson, 75 in number. Yet the country was well defended!" How sore was the need of the platoon of Watauga young-bloods, then at Charleston, S. C.

stitution than we were,) and considering the bad consequences it must be attended with, should the reversion be purchased out of our hands, we next proceeded to make a purchase of the lands, reserving those in our possession in sufficient tracts for our own use, and resolving to dispose of the remainder for the good of the community. This purchase was made and the lands acknowledged to us and our heirs forever, in an open treaty, in Wataugah Old Fields; a deed being obtained from the Chiefs of the said Cherokee nation, for themselves and their whole nation, conveying a fee simple right to the said lands. to us and our heirs forever, which deed was for and in consideration of the sum of two thousand pounds sterling (paid to them in goods,) for which consideration they acknowledged themselves fully satisfied, contented and paid; and agreed for themselves, their whole nation, their heirs, &c., forever to resign, warrant and defend the said lands to us, and our heirs, &c., against themselves, their heirs, &c.

The purchase was no sooner made, than we were alarmed by the reports of the present unhappy differences between Great Britain and America, on which report, (taking the new united colonies for our guide,) we proceeded to choose a committee, which was done unanimously by the consent of the people. This committee (willing to become a party in the present unhappy contest) resolved (which is now on our records) to adhere strictly to the rules and orders of the Continental Congress, and in open committee acknowledged themselves indebted to the united colonies their full proportion of the Continental expense.

Finding ourselves on the Frontiers, and being apprehensive that, for the want of a proper legislature, we might become a shelter for such as endeavored to defraud their creditors; considering also the necessity for recording Deeds, Wills, and doing other public business; we, by consent of the people, formed a court for the purposes above mentioned, taking (by desire of our constituents) the Virginia laws for our guide, so near as the situation of affairs would admit; this was intended for ourselves, and was done by the consent of every individual; but wherever we had to deal with people out of our district, we have ruled them to bail, to abide by our determinations, (which was, in fact, leaving the matter to reference,) otherways we dismissed their suit, lest we should in any way intrude on the legislature of the colonies. In short, we have endeavored so strictly to do justice, that we have admitted common proof against ourselves, on accounts, &c., from the colonies, without pretending a right to require the Colony Seal.

We therefore trust that we shall be considered as we deserve, and not, as we have (no doubt) been many times represented, as a lawless mob. It is for this very reason we can assure you that we petition; we now again repeat it, that it is for want of proper authority to try and punish felons, we can only mention to you murderers, horse thieves and robbers, and are sorry to say that some of them have escaped us for want of proper authority. We trust, however, that this will not long be the case; and we again and again repeat it, that it is for this reason we petition to this Honorable Assembly.

Above we have given you an extract of our proceedings, since our settling on Wataugah, Nonachuckie, &c., in regard to our civil affairs. We have shown you the causes of our first settling and the disappointments we have met with, the reason of our lease and of our purchase, the manner in which we purchased, and how we hold of the Indians in fee simple; the causes of our forming a committee, and the legality of its election; the same of our court and proceedings, and our reasons for petitioning in regard to our Legislature.

We will now proceed to give you some account of our military establishments, which were chosen agreeable to the rules established by convention, and officers appointed by the committee. This being done we thought it proper to raise a company on the District service, as our proportion, to act in the common cause on the sea shore. A Company of fine riflemen were accordingly enlisted, and put under Captain James Robertson, and were actually embodied, when we received sundry letters and depositions, (copies of which we now enclose you,) you will then readily judge that there was occasion for them in another place, where we daily expected an attack. We therefore thought proper to station them on our Frontiers, in defence of the common cause, at the expense and risque of our own private fortunes, till farther public orders, which we flatter ourselves will give no offence. We have enclosed you sundry proceedings at the station where our men now remain.

We shall now submit the whole to your candid and impartial judgment. We pray your mature and deliberate consideration in our behalf, that you may annex us to your Province, (whether as County, district, or other division,) in such manner as may enable us to share in the glorious cause of Liberty; enforce our laws under authority, and in every respect become the best members of society; and for ourselves and constituents we hope, we may venture to assure you, that we shall adhere strictly to your determinations, and that nothing will be lacking or any thing neglected, that may add weight (in the civil or military establishments) to the glorious cause in which we are now struggling, or contribute to the welfare of our own or ages yet to come.

That you may strictly examine every part of this our Petition, and delay no time in annexing us to your Province, in such a manner as your wisdom shall direct, is the hearty prayer of those who, for themselves and constituents, as in duty bound, shall ever pray.

This Petition has an added distinction. The settlers on the western waters in it assumed for their homeland the name of "Washington District" in honor of General George Washington, commander-in-chief of the American army—the first territorial division ever so named.

The document was signed by over one hundred settlers, in convention, one day after the Declaration of Independence was promulgated, but before that event could have become known to the petitioners in their far-away, secluded homes.

The Petition was not dated. The Tennessee historian, Ramsey, while showing that it was received in North Carolina, August 22, 1776, was of the opinion that "it had been drawn up in the early part of that year."<sup>12</sup> He further surmised: "The document appears to be in the handwriting of one of the signers, John Sevier, and is probably his own production."<sup>13</sup> This surmise has long been treated as fact. But the document was in the handwriting of William Tatham, also a signer and at the time temporary clerk of

<sup>12</sup>*Annals*, p. 138.

<sup>13</sup>*Ib.*, p. 134.



the Watauga Association which was yet functioning. The writings of Tatham supply its true date, July 5, 1776.

Tatham was a brilliant young Englishman on the Watauga in the employ of John Carter in 1776, who in later years arose to eminence in his native land on his return there after the close of the Revolution. He wrote of himself in the London publication *Public Characters* in 1804: "The memorial [petition] on which the civil and military organization of that government was founded was actually drawn up by him (and still is preserved in the archives of North Carolina) at a time when he was no more than twenty-four years of age."<sup>14</sup>

The delegates who carried the Petition to distant Wake County, North Carolina, were John Carter and George Russell. On arrival they found the functions of government exercised by a Council of Safety, a revolutionary body. The minutes of that Council of August 22, 1776, recite:

The Petition of the Committee of the Settlements of Watauga and Holstein [Holston], called by them Washington District, and of the Inhabitants thereof, was read, setting forth the manner in which they first settled that country and the nature of their Title, shewing that from the commencement of the present dispute between Great Britain and the Colonies they have adhered to the Association and Resolutions of the Continental Congress, and promoted as far as they could the common cause of Liberty; that said Settlements are within the bounds of this State, and praying that they may be received into and considered as part thereof. The said Petition being considered.

Resolved, that the Council do approve of the conduct of the Committee and Inhabitants of the above mentioned Settlements in regard to the present disputes, and that it be and is hereby recommended to the Freemen of said Settlements to hold a free and impartial Election at some convenient place in said district on the fifteenth day of October next, then and there to elect five delegates to represent said district, and that it be recommended to the delegates so elected to attend at Halifax in this State on the tenth day of November next, then and there to lay their case before the Congress of this State."<sup>15</sup>

In pursuance to this action of the Council, the trans-Alleghany folk elected five delegates to represent Washington District in the Provincial Congress which met at Halifax in November, 1776: John Carter, John Sevier, Charles Robertson, John Haile and Jacob Womack. The last-named did not attend, and Sevier did not appear to take his seat until December 3rd, he (and doubtless Womack) having been away on the retaliatory expedition against the Over-

<sup>14</sup>Williams, *William Tatham, Wataugan*, p. 3; *ib.*, *Tenn. Hist. Mag.*, Vol. VII, p. 154. Tatham was born in 1752—a fact that identifies the document.

<sup>15</sup>*N. C. Col. Rec.*, Vol. X, pp. 702, 951.

hill Cherokees under Colonel Wm. Christian. The other three appeared in Congress November 19th, when the following action was taken:

Mr. Willie Jones<sup>16</sup> moved that a Petition laid before the Council of Safety in August last from the settlers of Watauga and District of Washington, praying to be annexed to this State, &c., and a Resolution of said Council on that Petition be read. The same being read and debated, it was moved and seconded that the three Persons who now attended Congress to represent the settlers in Washington District might be permitted to subscribe the Test and take their Seats; it being objected to, the Question was put and carried in the affirmative, 153 to 1. Whereupon, Mr. Charles Robertson, Mr. John Carter and Mr. John Haile, three of the Delegates from Watauga Settlement and District of Washington, appeared, subscribed the Test and took their seats in Congress accordingly."<sup>17</sup>

This was treated as the creation of "Washington District," but in so informal a manner that nowhere are the boundaries of the District to be found defined by legislative act. The Petition was accompanied by records which did give the boundaries of the Cherokees' deeds to Charles Robertson and Jacob Brown. The petition and the records on reception seem to have been deemed sufficiently to define the territorial jurisdiction of the District.

A curious situation resulted that has escaped the notice of all of our Tennessee historians: Washington District included a good portion of what is now Western North Carolina. Wilkes County of that State was in part carved out of Washington District—that part which at the present time includes portions of Ashe and Watauga Counties, North Carolina.<sup>18</sup>

The State of North Carolina soon repented of its purpose to divide the West from its eastern part by the Blue Ridge, the real watershed and natural boundary, and fell upon the Alleghany range instead. As one result, Asheville and its region are not in Tennessee.

Singularly, too, our historians have proceeded upon the assumption that the judicial machinery of the western country under North Carolina was started in February, 1778, following the creation of Washington County. It was set up and operative in the District, itself. On December 23, 1776, twenty-one justices were named by the General

<sup>16</sup>An early manifestation of a friendship for the western people that led to the naming of the first town in the region in his honor.

<sup>17</sup>*N. C. Col. Rec.*, Vol. X, pp. 925-6.

<sup>18</sup>"Erecting part of the county of Surry and part of the District of Washington into a separate and distinct county, etc." *N. C. Act 1777*, ch. 127; *N. C. St. Rec.*, Vol. XII, pp. 148, 170, 178. See as to the eastern limit text above.

Assembly of North Carolina for the District of Washington.<sup>19</sup> Power to elect a sheriff was given to the justices.<sup>20</sup>

As to when the court was actually organized by the justices, it is fairly certain. Its sessions were fixed by the legislative act for the fourth Tuesdays in February, May, August and November. There was no reason for delaying organization beyond February, 1777. Who was the first sheriff and who the first clerk is somewhat uncertain. The court was certainly organized in or before August, 1777, as appears from this entry on the legislative records of North Carolina, which also sheds light upon the office-holding proclivity of William Cocke, later one of our first United States Senators. It relates to an objection interposed to Cocke's taking his seat as delegate in the North Carolina House of Commons in 1778:

"It appeared by a record of Washington District, corroborated by the testimony of Charles Robertson, that he [Cocke] was elected Clerk of Washington District, now Washington County, on the fourth Tuesday in August, 1777. Resolved, therefore, that Mr. Cocke as being the Clerk of the County Court is not entitled to keep his seat."<sup>21</sup>

However, it is scarcely to be supposed that there was a hiatus in the administration of justice for six months, and the reasonable inference is that the court of the District had a year's existence and that Cocke claimed to be the successor of another—perhaps Felix Walker who had been the regular clerk of the Watauga Association court and probably was retained as the first clerk of the District court.

A superior court was provided for the District,<sup>22</sup> but no trace has been found of a judge having crossed the mountains to hold a session of such a court in the year of the District's existence.

The military force of the District was vital, and to be head of its regiment there was elected by the legislature one who by reason of his age was looked upon as nestor of the western settlements. John Carter was elected colonel.

<sup>19</sup>*N. C. St. Rec.*, Vol. XXIII, p. 995. The names of those so elected deserve to be perpetuated, as those of the first, after the Watauga court, to administer justice in the Tennessee Country: John Carter, John Sevier, Charles Robertson, Valentine Sevier, Robert Lucas, John Haile, Andrew Greer, Thomas Simpson, Jacob Womack, John Shelby, George Russell, William Bean, Henry Clark, Zachariah Isbell, Aaron Pinson, John McNabb, Thomas Houghton, William Higgins, Isaac Johnston, Andrew Baker, Jr., and William Clarke, Esquires for the District of Washington. Evan Shelby was yet thought to be a resident of Virginia.

<sup>20</sup>Probably Valentine Sevier, brother of John, who was the first sheriff of Washington County—a carry-over, it is fair to assume.

<sup>21</sup>*N. C. St. Rec.*, Vol. XV, p. 221. Cocke was in hard luck. He lost his clerkship of the Washington County court to John Sevier, "the Court knowing that John Sevier was Intitled to the Office." *Am. Hist. Mag.*, Vol. V, p. 349.

<sup>22</sup>May 9, 1777. *N. C. St. Rec.*, Vol. XII, p. 113.

Under him were John Sevier, lieutenant-colonel; Charles Robertson, major, and Jacob Womack, second major.<sup>23</sup> James Robertson did not receive a military commission because he was serving at the Cherokee town of Chota as North Carolina's agent to the Overhill Cherokees. Carter was voted a supply of powder and lead; and, to overawe the Cherokees, a force of one hundred soldiers was sent out from North Carolina to garrison the forts along with local troops. Benjamin Cleveland, of King's Mountain fame, was the captain of a Carolina contingent<sup>24</sup> with headquarters at Carter's Fort on the Watauga, and an officer under him was Jesse Walton, who became the founder of the town of Jonesborough in 1779. Walton remained some years in the western country.<sup>25</sup> Legislative provision was also made for a limited ranging of the frontier—a serjeant and five men of horse allotted to each fort. Andrew Greer and James Stuart were commissioners to supply the military forces.<sup>26</sup>

To whom belongs the honor of proposing the name of Washington for the District? Ramsey says that "it was probably suggested by John Sevier, who, during his residence at Williamsburg, had doubtless known Col. George Washington." In this surmise Ramsey was happier than in the others mentioned above. A collateral circumstance indicates it to be the fact. Washington County was established to supersede the District by an act of North Carolina legislature, passed December 18, 1777.<sup>27</sup> John Sevier was in the House of Commons. This bill originated in the Senate and the name of the county was left blank. When the bill reached the Commons it was in charge of Sevier and there the name of Washington was inserted—doubtless by Sevier himself.

In the Watauga country there were living in 1776 many men who, after service as colonial soldiers, removed there from the Valley of Virginia. The names of at least six appear in the Washington MSS: Wm. Brooks, John Brown, James Cooper, John Davis, George Russell and Thomas Simpson, and many others are listed as colonial soldiers of Virginia. There can be no doubt that some of the number had served under Washington when he was colonel or major of Virginia's forces in the French and Indian War,

<sup>23</sup>*Ib.*, Vol. X, p. 998.

<sup>24</sup>Draper, *Heroes of King's Mountain*, p. 434.

<sup>25</sup>Williams, *Founder of Tennessee's First Town*, E. T. Hist. Soc. Pub. for 1930, p. 70.

<sup>26</sup>*N. C. St. Rec.*, Vol. XII, pp. 37, 202.

<sup>27</sup>Not in November, 1777, as Ramsey and others following him state. *N. C. St. Rec.*, Vol. XII, p. 221.

nor that they were eager to honor him so far as it lay within their power.

The boundaries of Washington County were coterminous with those of the present State of Tennessee—reaching from the Alleghanies to the Mississippi River and including a region the fertility of which had attracted the attention of Washington as early as 1770. He then thought that “a new and most desirable government might be established there,” not dreaming that a governmental division bearing his name would have jurisdiction over the soil he lauded.<sup>28</sup>

The claim of Tennesseans that a part of the territory of their State was first given the name of Washington has been challenged alone by Virginians, whose contention is thus stated by Summers in his *History of Southwest Virginia*:

Washington County, Va., is the first locality in the United States that was honored with the name of the ‘Father of Our Country.’ The act establishing the new county was agreed to by the General Assembly of Virginia on December 6, 1776, and the county was organized on January 28, 1777.

Tennessee and North Carolina historians insist that Washington County, Tennessee, was the first locality in the Union to receive the name of Washington, but by an examination of the North Carolina records it will be ascertained that Washington District, North Carolina (now Tennessee) was not mentioned until April, 1777, and the county of Washington, North Carolina (now Tennessee) was not established by the General Assembly of North Carolina until November, 1777.<sup>29</sup>

As has been seen in what precedes, this Virginia historian has not properly read the records of North Carolina. The Virginia neighbor of the Washington District but followed the example of the Carolinians just across the state line.

Priority may be thus traced and fixed:

Washington District assumed as a name descriptive of a governmental division by Wataugans, July 5, 1776.

This District recognized by the North Carolina Council of Safety, August 22, 1776.

The District taken under the government of North Carolina by the Provincial Congress, November 19, 1776, and its delegates seated the same day.

Washington County, Virginia, established by legislative act, December 6, 1776, and organized January 28, 1777.

Washington County, North Carolina, now Tennessee,

<sup>28</sup>Williams, *Early Travels*, p. 226.

<sup>29</sup>Pp. 256-7.

established December 18, 1777, and organized in February following.

A surface view would indicate that Washington County, Virginia, is awardable priority *as a county* over the Carolina county which immediately adjoined it across the state line which line was for years of uncertain location.<sup>30</sup> However, the fact must be reckoned with that Washington District was deemed and treated as a county. It had from the outset the organization of a county of North Carolina, in judicial, financial and military functions. It was by legislative act incorporated in Salisbury *District*, along with other counties east of the mountains. The western region was not given district status until after the establishment of Washington County and after three other counties had been carved out of the "Mother County," Sullivan, Greene and Davidson. These four were "declared to be a distinct and separate district by the name of Washington."<sup>31</sup>

That continued the appellation of the upper district or the Holston-Watauga region through the periods of the State of Franklin and the Southwest Territory, and, also, in the early period of the State of Tennessee, Jonesborough being its seat or *quasi* capital.

But for the schismatic vituperation that beset Washington in 1795-6, it is easily conceivable that the State given the name of Tennessee in the latter year might have been called "Washington." Tennessee sought admission into the Union during his second administration, with words of favor from the President, and success crowned the effort to "volunteer into the Union" in 1796. But in the borders of the Commonwealth there was a decided leaning towards Jeffersonian principles and away from Federalism with which Washington was accused of being tintured. Both Washington and Jefferson had demonstrated an understanding of and sympathy with the West, and western settlement had been encouraged by them. Perhaps the names of both were thought of in connection with the naming of the new State, but discarded for the beautiful name of the river, which name had attached itself to the entire region long before it was proposed as the name of the Fifteenth State.

To the people of the same State is attributable, also, the credit for naming the first college for Washington. Washington College, in Washington County, was the first to re-

<sup>30</sup>The debated strip was four miles in width. Much trouble in the collection of taxes and in the enforcement of the law resulted.

<sup>31</sup>*N. C. St. Rec.*, Vol. XXIV, p. 689.

ceive his name which was bestowed by the legislature of the Southwest Territory on July 6, 1795.<sup>32</sup>

Towns bearing that name in other States have priority in this particular over Washington, the first seat of Rhea County, Tennessee, which was established in 1800 and incorporated in 1819.

*"Aguone," Johnson City.*

<sup>32</sup>The academy that grew into this college was the first incorporated institution of learning in the West. Its charter, as Martin Academy, dates back to 1783. Washington Academy, at Washington, Pa., was incorporated in 1787, but Washington College into which it developed did not receive a charter until 1806. Again to John Sevier, as a member of the legislative council of Southwest Territory, is to be attributed the giving of Washington's name to the college located in Washington County, Tenn.

## TENNESSEE'S EARLIEST EDUCATIONAL INSTITUTIONS

### Washington College, the First Educational Institution, Named for George Washington

W. A. PROVINCE

Popular education was contemplated in the Constitution of the State of North Carolina adopted December 8, 1776. Section XLI reads:

"That a school or schools to be established by the Legislature, for the convenient Instruction of youth, with such Salaries to the Masters, paid by the Public as may enable them to instruct at low prices; and all useful learning shall be duly encouraged and promoted in one or more Universities."<sup>1</sup>

However it was many years subsequent to this that North Carolina put into practice the public educational ideas that seem germinal to the Constitution. In the several charters given to later academies this provision of the Constitution was made a stated reservation, and was written in subsequent charters.<sup>2</sup>

The first academic charter seems to have been that issued for the Seminary at Charlotte, formerly known as "Queen's Museum," now chartered under the name of "Liberty Hall,"—May 9, 1777:

"I. WHEREAS, the proper Education of Youth in this infant Country is highly necessary, and would answer the most valuable and beneficial Purposes to this State, and the good People thereof, and:

WHEREAS a very promising Experiment hath been made at a Seminary in the county of Meclenburg, and a Number of Youths there taught have made great advancements in the Knowledge of Learned Languages, and in the Rudiments of the Arts and Sciences, in the Course of a regular and finished Education, which they have since completed at various Colleges in distant parts of America, and;

WHEREAS, the Seminary aforesaid, and the several Teachers who have successively taught and presided therein, hath hitherto been almost wholly surported by private subscriptions; In order therefore that the said Subscriptions and Other Gratuities may be legally possessed and duly applied, and the said Seminary, by the Name of Liberty Hall, may become more extensively and generally useful . . . . .

II. Be it Enacted, by the General Assembly of the State of North Carolina, and by the Authority of the same, That the said Seminary be, and it is hereby declared to be an Academy, by the Name of Liberty Hall, . . . . .

<sup>1</sup>North Carolina State Records, X, p. 1012.

<sup>2</sup>See Sec. X. below.



X. Provided nevertheless, and be it further Enacted, That this Act, or any Thing therein contained, shall not extend, or be understood to make this Seminary *one of those Seminaries, mentioned in the Constitution, to oblige this State to support any President, Professor or Tutor, of said Academy, or other Charge or Expense thereof whatsoever*; this Act of incorporation having been obtained at the earnest Prayer and Intreaty of the said Trustees and others, who were desirous to contribute towards the support thereof.”<sup>3</sup>

### REV. SAMUEL DOAK AND SALEM CHURCH

It is thought that Rev. Samuel Doak, then of Virginia, did “circuit” preaching and ministered in things religious in the Watauga country as early as 1777-78. He was licensed to preach by the Hanover Presbytery of the Presbyterian Church,—which at this time embraced in its boundaries the Watauga Settlement,—October 31, 1777,<sup>4</sup> and soon after, it is thought, proceeded to this settlement. He stationed himself for two years in the locality between the forks of the Watauga and Holston rivers. In 1780 he organized the Salem church on Limestone Creek, and was settled there as pastor as early as 1782.

His introduction to this community is often related, and always with pioneer interest:

“An incident apparently accidental, but really providential led to the location. As he was riding along through the forest which then covered the place, he met with some settlers who were then felling trees. Learning that he was a minister, they requested that he would preach a sermon to as many as could be immediately called together; this he did, using his horse as a pulpit and the shady grove as a sanctuary. The sermon pleased them. They entreated him to tarry longer. He yielded and was induced to remain. Here he purchased a farm on which arose three log buildings to shelter his family, church and school.”<sup>5</sup>

### THE FIRST PATRON OF LEARNING WEST OF THE ALLEGHANIES,—COL. WAITSTILL AVERY

“The life and character of WAITSTILL AVERY . . . . . is worthy of the State, and his exalted public services should be held in grateful remembrance.”<sup>6</sup>

He was born in Norwich, Connecticut, and was educated at Princeton, being graduated in 1766. Here he remained as tutor for one year when he removed to Maryland where he studied law. He emigrated to North Carolina and was licensed to practice law in 1769, settling at Charlotte where he was active in encouraging education and literature. Was a devoted friend to liberty, and signed the Meclenburg Declaration of Independence in 1775. The next year he was a member of the Provincial Congress at Halifax that adopted the new State Constitution. Was appointed by the Governor to treat

<sup>3</sup>N. C. S. R. XXIV, p. 32.

<sup>4</sup>Historical Sketch of the Synod of Tennessee, Rev. J. E. Alexander, 1890, pp. 97-99.

<sup>5</sup>*Ibid.*, p. 98.

<sup>6</sup>History of North Carolina, Wheeler, Vol. II., p. 56.

with the Indians and held what is commonly called "Avery's Treaty" at the Long island of the Holston, July 20th, 1777. From this day he seemed to have maintained a permanent interest in the Western Country, now Tennessee. In 1781 when Cornwallis occupied Charlotte, he sought to wreck vengeance on Avery for his prominent part in the Revolution by burning his law office containing his library and papers.

He is found next as a citizen of Burke County, which he represented for many years. When the first Court of Oyer and Terminer was established at Jonesboro, Washington County (now Tenn.) he was appointed State's Attorney, possessed lands in this district and interested himself in its development.<sup>7</sup>

### MARTIN ACADEMY

Just how soon after the settlement of Rev. Samuel Doak at Salem, in Washington County, he opened his local school for the instruction of his neighborhood is not definitely known. But it is reasonably supposed that it was soon inaugurated, and commonly the date is placed in 1780.

Washington County was represented in the General Assembly April 1783, by Daniel Keneday, Joseph Hardin and Landon Carter. There arose a dispute as to the regularity of their election and they were denied seats.<sup>8</sup> It was no doubt their purpose to foster a bill for an educational institution in behalf of their county, and it is probable that being denied for the time, their seats, they sought the aid of their old friend Avery to sponsor their cause, and since he had long had an interest in that section and likewise desired an institution for his own county of Burke, it is found that a bill was introduced by him and enacted by the Assembly establishing two academies, viz:<sup>9</sup>

### "AN ACT TO INCORPORATE TRUSTEES FOR TWO ACADEMICAL SCHOOLS IN THE DISTRICT OF MORGAN.

*Section I.* (Morgan Academy in the County of Burke).

*Section II.* And be it further Enacted by the Authority aforesaid that Mr. John Cosson, President, and Messrs. Hezekiah Balch, Samuel Doak, William Heuston, James Heuston, Thomas Stewart, Daniel Keneday, Landon Carter and Robert Erwin, Trustees, be, and are hereby formed into a body politic and corporate, by the Name of PRESIDENT AND TRUSTEES OF MARTIN ACADEMY, in the County of Washington and by name shall have perpetual succession, and a common seal; and the said PRESIDENT AND TRUSTEES, and their successors shall take the same oath for their qualification, *mutatis mutandis*, and shall have, hold, exercise and enjoy all the powers, authorities and privileges which the PRESIDENT AND TRUSTEES of Liberty Hall, in the County of Meclenburg, possess and are invested with by virtue of said Act for their incorporation, passed the ninth day of May, one thousand seven hundred and seventy seven; and each respective treasurer appointed by virtue of this

<sup>7</sup>*Ibid.* I, p. 85; II, p. 56; History of Synod of Tennessee, p. 65.

<sup>8</sup>N. C. S. R., XIX, p. 238.

<sup>9</sup>N. C. S. R. XIX, p. 245. XXIV, p. 535.

Act shall perform the same duties, be liable to the same restrictions and give bond in the same manner as the treasurer appointed by the above recited Act is required.

*Section III.* Provided, nevertheless, and be it further Enacted by the authority aforesaid, That this Act, or anything herein contained, shall not extend or be understood to make these Academies, or either of them, one of those Seminaries mentioned in the Constitution, to oblige this State to support any President, Professor or Tutor of either of the said academies or other charge or expense thereof whatsoever."

#### LEGISLATION ON EDUCATION BY THE "STATE OF FRANKLIN"

Scanty remains are found of the legislation enacted by the renowned "STATE OF FRANKLIN."<sup>10</sup> An elaborate Constitution was prepared for submission to the Convention held at Greenville, November 14, 1785. This document submitted for the basis of constitutional legislation contained the following article:—

*Section 32.* All kinds of useful learning shall be encouraged by this commonwealth, *that is to say*, the future Legislature shall erect, before the year seventeen hundred and eighty-seven, one University, which shall be near the center of the State, and not in a city or town; And, for endowing the same, there shall be appropriated such lands as may be judged necessary, one-fourth of all the monies arising from the surveys of land hereafter to be made, one halfpenny upon every pound of inspected indigo, that shall be carried out of the State, by land or water; three-pence upon every barrel of flour, and one shilling on every hogshead of tobacco, forever.

And if the fund thence arising shall be found insufficient, the Legislature shall provide for such additions as may be necessary.

And if experience shall make it appear to be useful to the interest of learning in this State, a Grammar School shall be erected in each county, and such sums paid by the public as shall enable the trustees to employ a master or masters of approved morals and abilities."<sup>11</sup>

This suggested basis was almost immediately laid aside and rejected, one of the most vehement opposers being the Rev. Hezekiah Balch, who whilst not a member, was given the privilege of the floor and "animadverted severely upon the manuscript constitution, as prepared and read by Mr. Houston, and especially upon the section of it (No. 32) respecting an Institution of learning."<sup>12</sup>

The Convention finally agreed to take the old Constitution of the parent State, North Carolina, as the basis of their legislation and in reference to education repeated that of North Carolina, viz:

<sup>10</sup>Civil and Political History of Tennessee, Haywood, p. 148. Annals of Tennessee, Ramsey, pp. 293-4. Lost State of Franklin, Williams, p. 91.

<sup>11</sup>Annals of Tennessee, p. 332. Higher Education in Tennessee, Merriman, p. 227.

<sup>12</sup>*Ibid.*, p. 323.

*Section 41.* That a school or schools shall be established by the Legislature for the convenient instruction of youth, with such salaries to the Masters, paid by the public as may enable them to instruct at low prices; and all useful learning shall be duly encouraged and promoted in one or more Universities.<sup>13</sup>

A list of the Acts passed by the first Legislature of the State of Franklin and ratified at the close of its sessions, March 31, 1785, includes:

"An Act for the promotion of learning in the County of Washington."<sup>14</sup>

Dr. Ramsey who does not seem to have been familiar with the earlier organization and charter granted by North Carolina in 1783, says:<sup>15</sup>

"Under the provisions of this Act, the foundation of Martin Academy was laid. It is believed that this is the earliest legislative action taken anywhere west of the Alleghanies, for the encouragement of learning.

Rev. Samuel Doak, who had been a member of the Convention, and probably of the Franklin Assembly, and the Apostle of religion and learning in the West, was the founder and first President of Martin Academy . . . His school-house, a plain log building erected on his farm, stood a little west of the present site of what is now Washington College."

#### DAVIDSON ACADEMY

It is known that when citizens of the eastern counties of what is now Tennessee, attempted to set up the abortive "State of Franklin," the County of Davidson in the middle portion of the western district of North Carolina, took little or no interest in the "new State" matters. In the fall of 1785 the county was represented in the North Carolina Assembly by Anthony Bledsoe in the Senate, with William Pollock (Polk) and Elijah Robertson in the Lower House.<sup>16</sup> On Tuesday, December 6th, Mr. Pollock introduced a bill, "For the promotion of Learning in the County of Davidson, which was finally passed and engrossed as an Act, on December 29, 1785.

The preamble to this Act reads:<sup>17</sup>

"Whereas, the good education of youth has the most direct tendency to promote the virtue, increase the wealth and extend the fame of any people; and as it is the indispensable duty of every Legislature to consult the happiness of a rising generation and endeavor to fit them for an honourable discharge of the social duties of life; and,

Whereas, it is represented to this General Assembly, that the

<sup>13</sup>See supra, p. 165. Lost State of Franklin, pp. 43 and 337.

<sup>14</sup>Civil and Political History, p. 149. Annals of Tennessee, p. 293.

<sup>15</sup>Annals of Tennessee, p. 294. Lost State of Franklin, p. 56; note 6.

<sup>16</sup>N. C. S. R. XVII, pp. 264, 316, 319, 328, 381, 392. XX, p. 1.

<sup>17</sup>Ibid. XXIV, p. 751. Preamble is the same as that in charter of Wilmington Academy, 1783. XXIV, p. 511.

citizens of Davidson County are desirous of making an early and liberal provision for the instruction of youth, by laying the foundation of a public Seminary in that County;—”.

This “Seminary” has had a long and distinguished history as it has evolved under different charters,—as Davidson Academy, Cumberland College, the University of Nashville, Montgomery Bell Academy and latest, George Peabody College for Teachers.

#### TERRITORY OF THE UNITED STATES SOUTH OF THE RIVER OHIO

After the cession of the western part of North Carolina by that State to the Federal Government there was established what was designated as “The Territory of the United States *South of the River Ohio*.”<sup>18</sup> The new Territory covered the present State of Tennessee. William Blount was appointed by Washington the Territorial Governor, entering upon his duties in 1790.

This Territory was governed under the same ordinance as the earlier “*Territory Northwest of the Ohio*” with a few exceptions.

Hence the educational ideals of the first Ordinance were repeated in that of the Territory South of the Ohio, viz:

“*ARTICLE III.* Religion, Morality and Knowledge being necessary to good Government and the happiness of mankind, *schools* and the means of education shall forever be encouraged.”<sup>19</sup>

We come now to the period when the development of the country and the ideals of the people demanded higher educational advantages than that hitherto afforded by the Academies, larger enterprises were planned for, and larger funds were to be solicited and administered, hence more embrative charters were applied for and better security of trust funds demanded by the public.

#### “A COLLEGE IN GREENE COUNTY”

On Friday, August 29, 1794, Dr. James White, representative from the County of Davidson, introduced a bill in the General Assembly of the Territory South of the River Ohio,—“To establish a *University* in Greene County,”<sup>20</sup> and same passed first reading. On Saturday, August 30th, the bill was “amended” to read a “*College*,” and passed its

<sup>18</sup>Civil and Political History, p. 249. Annals of Tennessee, p. 541.

<sup>19</sup>July 13, 1787. Civil and Political History, p. 479.

<sup>20</sup>*Journal of the Proceedings of the Legislative Council and House of Representatives, of the Territory of the United States South of the River Ohio*, Knoxville & Nashville, 1852. Journal of the House, 1794, p. 8.

second reading, and on Monday, September 1st it passed its third and last reading and was ordered engrossed.

Mr. Roulstone, the Public Printer, in publishing the proceedings and Acts of this Assembly took some liberty as an editor, numbering the "Chapters" in reference to what he thought was their relative importance, etc., hence some measures passed near the close of this session of the Assembly are placed in the early "chapters" while some of the first legislation is placed later than the day of its passing. Thus the above Act passed finally on September 1st,—one of the earliest pieces of legislation, is numbered in the published Acts, as "*CHAPTER XIX.*"

Rev. Hezekiah Balch, a senior to Rev. Samuel Doak by some eight years, followed him to the Watauga country, where in 1782-3 they together organized near Greeneville, Greene County, the Mount Bethel Presbyterian Church.<sup>21</sup> This congregation that still exists under the title of the First Presbyterian Church, Greeneville, Tenn. Under the long pastorate of Mr. Balch this church "became the largest in the Valley of the Holston and Tennessee Rivers." The location appears to have been a preaching place for Mr. Doak as early as 1780, but formal organization seems to have taken place as dated above.

From the above action of the General Assembly of the Territory it will be seen that through the sponsoring of Dr. James White,—who strange to say was himself a Roman Catholic—Mr. Balch bears the honor of having chartered the first *College* west of the Alleghanies, though not the first *institution of learning*,—this being Martin Academy.

It is noted in the charter that this first college was to be located on the farm of Mr. Balch, this he had purchased, and lay some three miles south of the town of Greeneville. Over this college Mr. Balch presided until his death, a period of sixteen years with ability and success. "He pushed his educational enterprize with characteristic zeal and energy, making long tours south and east until he had collected about \$6,000 and a considerable library and had erected a building."

After varied experiences this college was finally in 1868, united with Tusculum College, chartered in 1848. It is commonly supposed that Mr. Balch, in keeping with the custom of all pioneer Presbyterian ministers, conducted a local school or academy for many years before this college charter was enacted. Certain portions of the charter are here appended:

<sup>21</sup>History of the Synod of Tennessee, p. 88..

## CHAPTER XIX.

AN ACT ESTABLISHING A COLLEGE IN GREENE COUNTY  
IN THE TERRITORY OF THE UNITED STATES SOUTH  
OF THE OHIO. (Sept. 3, 1794.)<sup>22</sup>

WHEREAS in all regulated governments, it is the incumbent duty of the Legislature to consult the happiness of the rising generation, and endeavor to fit them for an honourable discharge of the social duties of life, by paying the strictest attention to their education;

BE IT ENACTED BY THE GOVERNOR, LEGISLATIVE COUNCIL AND HOUSE OF REPRESENTATIVES OF THE TERRITORY OF THE UNITED STATES SOUTH OF THE RIVER OHIO,

That there shall be a College, known by the name of the GREENEVILLE COLLEGE in Greene county, on the plantation where the Rev. Hezekiah Balch now lives . . .

. . . . . they shall have power to make all such laws and regulations for the government of the College, and preservation of order and good morals therein, as are usually made in such seminaries; and as to them may appear necessary for the promotion of learning and virtue. *Provided*, the same be not contrary to the unalienable rights of human nature, or the laws of the Territory."

## "COLLEGE IN THE VICINITY OF KNOXVILLE"—BLOUNT

On September 5th of the same session of the General Assembly of the Territory South of the River Ohio, 1794. Mr. William Cocke introduced a bill providing for a charter of a college "in the vicinity of Knoxville."<sup>23</sup> It will be remembered that officially, the town of Knoxville at this date did not exist! While Col. James White had already launched the new town and it was recognized as an important location, named in honor of the then Secretary of War, it was only by later action in this same Assembly that an incorporated existence was given to the fast growing community.

The new institution of learning was duly chartered as Blount College, later becoming East Tennessee College,<sup>24</sup> East Tennessee University,<sup>25</sup> and still later, the University of Tennessee.<sup>26</sup> Here is also annexed certain excerpts from the charter:

<sup>22</sup>ACTS passed at the Second Session of the First General Assembly of the Territory South of the River Ohio, 1794 Printed at Knoxville, Tennessee, by George Roulstone, pp. 21-23.

<sup>23</sup>*Journal of the Proceedings*, p. 16.

<sup>24</sup>Blount College, an address by Edward T. Sanford, 1894, p. 38.

<sup>25</sup>*Ibid.*, p. 63.

<sup>26</sup>*Ibid.*, p. 74.

## CHAPTER XVIII.

AN ACT FOR THE ESTABLISHMENT OF BLOUNT COLLEGE  
IN THE VICINITY OF KNOXVILLE.<sup>27</sup>

WHEREAS the Legislature of this Territory are disposed to promote the happiness of the people at large, and especially of the rising generation, by instituting seminaries of education, where youth may be thauquated to an amiable, moral and virtuous conduct, and accurately instructed in the various branches of useful science, and in the principles of the ancient and modern languages. . . . .

They shall have power to make all laws and regulations which they shall judge necessary for good government of the College, and for promoting morality and virtue amongst the students, provided they be consistent with the laws of the United States; and they shall take effectual care that students of all denominations may and shall be admitted to the equal advantages of a liberal education, and to the emoluments and honors of the College, and that they receive a like fair, generous, and equal treatment during their residence therein." . . . . .

Washington College, the First Institution of Learning  
Named for George Washington

This review of the early history of institutions of learning within the bounds of our State increases with interest when we recall the local appreciation of our first President in the naming of one of our old academy as it is re-chartered into college standing, for him. Another article in this number of the Magazine tells the story of what is thought to be the first *district* or geographical boundary named for Washington 1776,<sup>28</sup> later the name was given to the first *county* created by North Carolina on the west of the Mountains, viz: November, 1777.<sup>29</sup> And now we come to the first *institution* of learning named for the same distinguished personage.

On July 3, 1795,<sup>30</sup> in the sessions of the General Assembly of the Territory South of the River Ohio, Mr. Sevier a member of the Council (Upper House) introduced a bill to "establish a College at Salem, in Washington County." The bill was finally passed into a law or Act, July 8th of the same year, and the full charter granted is as follows:

<sup>27</sup>ACTS, Roulstone, p. 89.

<sup>28</sup>See *supra*, pp. 153-164.

<sup>29</sup>N. C. S. R. XXIV, p. 141.

<sup>30</sup>*Journal of the Proceedings*, p. 7, 1795.



## CHAPTER VIII.

AN ACT FOR THE ESTABLISHMENT OF WASHINGTON COLLEGE, IN HONOR TO THE ILLUSTRIOUS PRESIDENT OF THE UNITED STATES, AT SALEM, IN WASHINGTON COUNTY.<sup>21</sup>

*Whereas* the legislature of North Carolina, established an Academy in Washington County, by the name of Martin Academy, which has continued for ten or twelve years past, under the presidency of the Reverend Samuel Doak, and has been of considerable utility to the public, and affords a prospect of future usefulness, if invested with powers and privileges appertaining to colleges;

SECTION I. *Be it enacted by the Governor, Legislative Council and House of Representatives of the Territory of the United States of America South of the river Ohio.*

That the Reverend Samuel Doak, President, the Reverends Charles Cummings, Edward Crawford, John Coson, James Balch, Robert Henderson and Gideon Blackburn. Judge Joseph Anderson, General John Sevier, Colonels Landon Carter and Daniel Kenedy, Majors Leroy Taylor and John Sevier, John Tipton, William Cocke, Archibald Roan, Joseph Hamilton, John Rhea, Samuel Mitchell, Jesse Payne, James Aiken, and William Charles Cole Claiborne, Esquires, Doctors William Holt and William Chester, Messieurs David Deaderick, John Waddill, Junior Alexander Mathews, John Nelson and John McColister, shall, and they are hereby declared to be a body politic and corporate, by the name of the PRESIDENT AND TRUSTEES OF WASHINGTON COLLEGE, at Salem, in Washington County; and shall have perpetual succession and a common seal; that they and their successors, or the President and any six or more of them by the name aforesaid, shall have, and they are hereby invested with the legal powers and the capacity, to buy, receive, possess, alien, and dispose of, any property or monies for the use and benefit of the college; and may sue and be sued, commence and prosecute any legal process or processes, and have the like instituted against them, in any court of record in this Territory, in the most ample manner.

SECTION II. *And be it enacted,* That the President of the College, with any six of the Trustees who may be present, shall be a board of Trustees adequate to the transaction of business; and in the absence of the President, any seven of the Trustees, being met upon their own adjournment, may choose a Vice-President, to act during such absence; and that the President or Vice-President, and each of the trustees, before his entrance upon the execution of his office, shall take an oath before some justice of the peace for the county of Washington, faithfully to execute their respective offices, which shall be entered on the records of the college; and that the President or any of the trustees shall have a right at any time to resign his office, by signifying such resignation in writing to the board of trustees; and the board shall have power to remove from office, the President, Vice-President, or any of the trustees, when they may think proper; fill up all vacancies which may happen in the board through the death, resignation, or removal of members, by electing others in their room.

SECTION III. *And be it enacted,* that the board of trustees shall have full power to appoint a secretary, treasurer, professors, tutors, and all necessary officers for conducting the concerns of the college; and to displace and supercede them at pleasure. They shall have

<sup>21</sup>ACTS, Roulstone, 1795, p. 21.

power to meet upon their own adjournments, or upon a citation of the President or Vice-President; to examine the proficiency of the students, to confer literary degrees of bachelor and master of arts, to erect necessary buildings, to make laws for the government of the college, and for promoting morality and virtue amongst the students, provided they be consistent with the laws of the United States; and they shall take effectual care that the advantages of a liberal education and honors of the college shall be equally accessible to students of all denominations.

SECTION IV. *And be it enacted*, that the president, vice-president, tutors and students of said college shall be exempted from all military duty during their continuance as members of this college, except in a general invasion of this Territory.

SECTION V. *And be it enacted*, that the president and trustees of said college, and their successors, shall be, and they are hereby vested with a legal right to possess, hold alien and dispose of any property belonging to Martin academy, and apply the same to the use of the said college.

WILLIAM BLOUNT, *Governor*,  
GRIFFITH RUTHERFORD, P. L. C.  
JOSEPH HARDING, S. H. R.

July 8, 1875.

#### THE NAME "WASHINGTON" GIVEN THE COLLEGE

Just at this point the writer is tempted to give by way of suggestion, a possible consideration in naming the new institution. For this he has no real documentary or printed source or proof, it comes from a review of a certain situation of the times.

It will be remembered that many of the settlers of Washington County were originally from southwest Virginia,—the upper Holston country was virtually one with that of Watauga and the lower settlements. Many of the families of the soldiers of the Revolution at an early date moved down from the Virginia settlements to those of Washington County. To "Tide-water" Virginia, all this upper country of the James River and the head of Holston were the same type of people, homogeneous in life and history, in their needs and aspirations,—the lowest county in Virginia bore the name "Washington" and the first county over the line of North Carolina was, until the organization of Sullivan County, named Washington." As before related the first Territory created south of the Ohio, came into existence under Washington's administration, and he appointed its first Governor,—Blount, thus awaking an interest in the first President that continued throughout his administration.

No doubt the new "Territory" naturally thought that there should be an appeal to Washington for any worthy consideration put before him from this district. That representatives of these new-born institutions of 1794-5 did immediately make their appeal to the consideration of the more settled parts of the country for educational assistance,

—especially Virginia and the States farther north and east,  
—is also a part of their history.<sup>32</sup>

Washington's interest in canal transportation had led him to urge the construction of the James River Canal as early as 1784<sup>33</sup>

One seeming possible source of recognition at this time was Washington himself, as is found in the following story:

"Early in the year 1785, the Legislature of Virginia expressed the high admiration entertained for the character and services of General Washington by a donation of one hundred shares in the *James River Navigation Company*, and fifty shares in the Potomac Company. Washington felt and expressed a delicacy in appropriating the gift to his own emolument, or in declining the gift of the State. General Knox suggested that he might use the proceeds for the benefit of widows and children of Virginia officers killed in the War, his own mind modified the suggestion of Knox,—'to have the product of the tolls arising from these shares applied as a fund on which to establish two *charity schools*, one on each river, for the education and support of the children of the poor in this country, particularly the children of those men of this description, who had fallen in defence of the rights and liberties of it.'

"In the Fall of the year (1785) the Legislature so changed the Act as to permit General Washington to apply the proceeds to *any* object 'of a public nature, in such manner and under such distributions as the said George Washington by deed during his life, or by his last Will and Testament, shall direct.'

"There the matter lay till 1795, when the shares about to become productive demanded consideration. Mr. Jefferson suggested the propriety of giving all to a University to be established in the District of Columbia. General Washington,—then President of the United States, was favorably inclined to the proposition and made an endowment of fifty shares of the Potomac Company, and proposed to the Legislature the consideration of the propriety of bestowing the one hundred shares of the James River stock the same way; but—

" 'Presuming it would be more agreeable to the General Assembly of Virginia that the shares in the James River Company should be reserved for a similar object in some part of that State, I intend to allot them *for a Seminary of learning* upon an enlarged plan, but not yet coming up to a full idea of a University, is an institution to be preferred for the position which is to be chosen. The students who wish to pursue the whole range of science, may pass with advantage from the Seminary to the University, and the former, by a due relation may be rendered co-operative with the latter.'

"To this the Legislature replied, December 1, 1795, with most expressions of respect, commending the erection of a University in the Federal City, and approving the endowment of it with fifty shares of Potomac stock,—and,

" 'Resolved also, that he be requested to appropriate the aforesaid shares in the James River Company to a Seminary in such place in the Upper Country as he may deem most convenient to a majority of the inhabitants thereof.' "<sup>34</sup>

<sup>32</sup>George Washington Diaries, IV, p. 158, n.

<sup>33</sup>*Sketches of Virginia*, First Series, pp. 478-483, Foote. *George Washington Diaries*, Fitzpatrick, II, p. 376.

<sup>34</sup>History of Synod of Tennessee, pp. 64-65, 69-70. Higher Education in Tenn., Merriman, p. 227.

Liberty Hall in Rockbridge County, Virginia, made application for this endowment in January, 1796, and on September 15th, of the same year, Washington wrote to the Board of Trustees from Philadelphia granting same, and the Trustees made formal acknowledgement of it, April 12th, 1798, having changed the name from "*Liberty Hall*" to "*Washington Academy*."

In closing this review for the "Washington Number," it is noted with pleasure that this old namesake of the first President, is still "going strong," an illustration of its practicable mission to the descendants of those for whom it was first chartered is found in a gold prize essay written by a Junior student in the college today, a bright and refined girl of sixteen years of age,—Miss Erma Brobeck:<sup>35</sup>

**"THE IDEALS OF WASHINGTON REFLECTED IN THE CONDUCT OF OLD WASHINGTON COLLEGE DURING THE PAST ONE HUNDRED AND THIRTY-EIGHT YEARS.**

George Washington, the father of our country, was a patron of education. The name of Washington, which suggests to us honor, high ideals, and character, has been given to the oldest institution of learning west of the Alleghanies.

George Washington, born February 22, two hundred years ago in Westmoreland County, Virginia, was very fortunate in having noble parents and in being set in an environment of culture. He was a natural, normal lad possessing a strong, vigorous body. Methods and exactness seemed to be natural. He was strong of body, grave of spirit, with a full sense of responsibility, a seeker of knowledge always, and with an abiding love of the great outdoors. George was left fatherless at eleven years of age in a family of six children, three of whom were half brothers and sisters. At thirteen he was a very serious-minded lad. During boyhood he was true to the standards and ideals his parents implanted in him; true to the quaintly worded precepts he copied as the guide and rule of his school days and by which he measured his actions; and always true to himself. He was taught to love God supremely, his kind tenderly, and to be good and generous to all living creatures. It was the good sense of his mother and the sterling qualities of the boy that made for him a firm foundation for a life of most useful service to his country.

At fourteen George went to live with his half brother, Lawrence, on the Potomac estate, Mount Vernon. It was here he met Lord Fairfax, who had large holdings in that locality. George secured all available knowledge on matters of paramount interest to him. While in school he had surveyed the school grounds and the lands thereabouts and charted them as a self-imposed exercise in mathematics. Lord Fairfax set the lad of sixteen at the task of surveying and plotting his vast acres. This put him into the Virginia wilderness where he spent several years as surveyor for Fairfax and as public surveyor for Virginia, which experience made him physically strong and mentally alert in meeting the dangers of a life in the open infested with savages and beasts. George was enduring such hardships as were common to only the most adventurous trappers and woodsmen.

George Washington became a servant of the government with his

<sup>35</sup>Washington College Bulletin, February, 1932.

appointment as official surveyor in 1749. After his marriage to Martha Custis he retired to Mount Vernon, the estate inherited from his half brother, where he stayed three months and was then drawn into political life as a member of the House of Burgesses. Here his influence was not direct because of his reluctance to speaking—as much from policy as from natural modesty. He felt and exhibited extreme diffidence. There were only seven years outside of his boyhood when he was not in public service.

In his private life as a plain citizen, George Washington's life was an expression of his ideals of honesty, truth, justice and charity. He was exacting and businesslike and attended every civic duty with careful attention. Washington's frugality in no way hampered his great hospitality, and Mount Vernon was the scene of many social events. His integrity was pure and his justice most inflexible. He was, indeed, in every sense of the word, a good, a wise, and a great man. In keeping with the teachings which sank deep into his consciousness as a young lad, and with his inherited religious attitude, Washington solemnly searched his heart and laid out his reputation for the honor and good of his country, thereby demonstrating the cardinal virtues of patriotism, courage, justice to man, and faith in God. George Washington was born to luxury, reared in a family of outstanding wealth in his time, married and inherited increased wealth, yet he not only remained a very pious and devout man but became one of the world's most honored characters.

Washington's calm, unswerving, determined sense of patriotic duty to his country was clearly visible in his military career. Because of his familiarity with frontier life and the Indians he was appointed major in the Virginia militia and later was made adjutant-general of the northern division. He was also lieutenant-colonel when only twenty-years old. For three years he was in the French and Indian Wars, took defeats, made narrow escapes, lived with the Indians and frontiersmen, developed the keenest sense of fair treatment for the Indians and the colonists, and became an ardent advocate of liberty for the colonists. His temperament was ardent and his passions strong. To his military training he gave the same concentrated study that distinguished his school and other work.

Realizing that the world is in need of citizens, soldiers, leaders, and even nation-builders, such as George Washington, Washington College aims to produce men and women of character, developed physically, mentally, socially, morally and that the world may be supplied with competent persons to carry on and advance its work.

Washington College encourages morality among her "children." How Washington's morals and private virtues are admired—his truthfulness, the foundation of his character!

Washington College desires pleasant and beneficial associations in her circle of learners. Washington's dignity of manner, unswerving justice, self-control, and strict morality might have had a certain repellent quality had there been the attributes of a cold and unfeeling nature, but the core of the man was on fire with love for and interest in his fellow beings.

The College puts forth increased efforts to develop spiritually her young people of vast possibilities—to regenerate and feed the soul, the necessary spark for a full life. George Washington, always reliant on a Supreme Being, is the greatest spiritual heritage we have derived from our own American past.

Character—sterling character, in reality—the foundation of our school, marked Washington's road to success, and so will it ours."

*30 Memorial Building, Nashville, Tenn.*

# REPORT OF THE GEORGE WASHINGTON BI-CENTENNIAL COMMISSION OF TENNESSEE

JOHN H. DEWITT, *Chairman*, J. A. ROBERTS, *Secretary*.

DECEMBER 1, 1932

The Tennessee George Washington Bi-Centennial Commission appointed by Governor Henry H. Horton, was composed of the following citizens of Tennessee:

Chairman, Judge John H. DeWitt, of the Court of Appeals; President of the Tennessee Historical Society, Nashville.

Secretary, Mr. J. A. Roberts, of the State Department of Education, Nashville.

Hon. Wardlaw Steele, Ripley.

Judge Samuel C. Williams, Johnson City, former Justice of the Supreme Court.

Mrs. J. H. Acklen, Nashville, State Regent, D. A. R.

Rev. Chas. D. Bulla, D. D.,\* Nashville.

Hon. P. L. Harned, State Commissioner of Education.

Mrs. John Trotwood Moore, State Librarian and Director of Archives and History.

Hon. W. T. Kennerly, Knoxville.

Mrs. Sophie G. Friedman, Memphis, Tenn.

At its first meeting on December 4, 1931, the Commission appointed as a general committee to sponsor declamatory, essay and oratorical contests through the state the following persons:

Chairman, Mr. H. F. Srygley, Superintendent of City Schools, of Nashville.

Professor A. M. Harris, Vanderbilt University.

President J. W. Brister of West Tennessee Teachers College, Memphis.

Mrs. Eldran Rogers, President of the Parent-Teachers Association of Tennessee, Memphis.

Mrs. Willard Steele, State Regent-Elect D. A. R., Chattanooga.

Mrs. Benton McMillin, Nashville.

Mr. C. E. Rogers, Superintendent of Schools, Johnson City.

The Commission also resolved, as far as lay within its power, to bring about a fitting observance of the Bi-Cen-

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\*Deceased.

ennial of the birth of George Washington in every county in the State of Tennessee. To this end it appointed a chairman for each county, with power to effect an organization to promote in all legitimate and practical ways the Bi-Centennial celebration. The County Superintendent of Public Schools in nearly every county was appointed as such chairman; but the chairman appointed for each county having a large city was the Superintendent of City Schools.

Immediately thereafter all of these local chairmen were addressed by circular letters and through the newspapers with urgent requests that each of them plan as one of the first objectives the holding of a great mass meeting on February 22, 1932. So far as the members of the Commission have been able to learn, these mass meetings were very generally held. In fact, on that day exercises in the schools, pageants, plays, tree plantings, radio addresses, as well as mass meetings, were very generally held throughout the state. In Nashville two mass meetings were held on the night of February 22nd, one in the Labor Temple, under the auspices of the Allied Trades and Labor Council, and the other, a general mass meeting in the War Memorial Auditorium. At Vanderbilt University Professor William E. Dodd, of the University of Chicago, delivered the first of three notable addresses on George Washington. Similar meetings were held in the other large cities. The newspapers abounded with accounts of these celebrations. The press aided at all times most generally in promoting the work of the Commission, which it should be said was done almost wholly without funds. The success which was attained was due entirely to the patriotic spirit of service and cooperation on the part of the press, public officials, schools, churches, patriotic societies and countless citizens. The Tennessee Bi-Centennial Commission from time to time issued official addresses to the people setting forth its plans and purposes, and appealing to all citizens to take an active part. The Commission endeavored at all times to comply with the various programs outlined by the National Commission, and without its directing and cooperating aid, the success of the Tennessee Commission would have been very difficult.

An extensive collection of clippings from newspapers giving accounts of the celebrations has been made and these will be deposited in the archives of the Federal Government in accordance with the request of the National Commission.

The work done by the committee on contests in the schools was among the most valuable and successful of all

the efforts made in Tennessee. The able Chairman Superintendent H. F. Srygley, of Nashville, and his intelligent secretary, amid their pressing official duties, gave devotedly time and effective effort to bringing about these contests. In this they were aided very helpfully by the other members of the committee. Throughout the state these contests were held. A full report has been submitted by this committee to the State Commission and copies will be deposited with the National Commission and with the Tennessee Division of History and Archives.

The State oratorical contest was held at the University of Tennessee, Knoxville, on May 13, 1932, with eleven colleges participating, as follows:

University of Tennessee  
University of the South  
Maryville College  
West Tennessee State Teachers College  
Middle Tennessee State Teachers College  
East Tennessee State Teachers College  
Milligan College  
Austin Peay Normal School  
Hiwassee College  
Tennessee Polytechnic Institute  
Lincoln Memorial University

The name, home address, college, and title of orations of winners in the contests were as follows:

First Honor—Joe W. Worley, 923 Lynn Street, Johnson City, Tenn.; East Tennessee State Teachers College—"The Spirit of Washington."  
Second Honor—Miss Esther King, Alamo, Tenn.; Milligan College, Milligan College, Tenn.—"The Father of His Country."  
Third Honor—T. D. Morris, 1634 Highland Ave., Knoxville, Tenn.; University of Tennessee, Knoxville—"Washington, the Courageous."

The winners in the State Essay Contest, announced on April 12, 1932, were as follows:

First Honor—David Cheatham, care of Gil T. May, Pulaski, Tenn.; Central High, representing Pulaski Schools—"George Washington, the Father of Our Country."  
Second Honor—Kathleen Wettstein, 713 17th Ave., S., Nashville, Tenn.; St. Cecilia Academy, representing the Catholic Schools—"George Washington, Statesman and Soldier."  
Third Honor—Nell Frances Callahan, 3019 Carlisle Ave., Nashville, Tenn.; Cathedral High, representing Catholic Schools—"Washington's Balance of Character."

The State Declamatory Contest was held on April 15, 1932, in the Hume-Fogg High School Auditorium at Nashville. The successful contestants were as follows:



First Honor—Harris Abrahams, 3902 Kimpalong Ave.; Tarbox—  
“Commemorative Address Before Congress.”

Second Honor—Miss Jessie Clay Orr, Columbia, Tenn.; McDowell  
—“Washington and Education.”

Third Honor—Miss Sarah Hancock, Lebanon, Tenn.; Lebanon  
Junior High—“George Washington as the Civilized World Sees  
Him.”

The State Declamatory Contest in schools for colored people was held on February 22, 1932, at the Tennessee State Agricultural and Industrial College, at Nashville. There were sixteen contestants, representing schools from all over the State. The prizes were won as follows:

First Prize—Lenwood Graves, Kingsport, Tennessee.

Second Prize—Anita Fleming, Mt. Pleasant, Tennessee.

Third Prize—Thomas Adair, Grand Junction, Tennessee.

At the close of this contest an enthusiastic observer said:

“Had George Washington, the Father of our Country, been present here tonight, he undoubtedly would have burst into tears, to have listened to the matchless eloquence as it fell from the lips of the descendants of his slaves, glorifying him for his achievements in war and peace.”

Students in the Art Departments of the schools of the State, particularly those in Nashville, made and exhibited very attractive posters, souvenirs and other designs featuring George Washington. These gave much life and fascinating interest to the celebration.

In the public schools, both white and colored, the Home Economics Departments gave teas, plays, pageants, etc., and made the costumes used.

It would be impossible to state in detail all things that were done in Tennessee in celebration of the birth, character and service of the Father of His Country. The Tennessee Commission, in closing its work, desires to pay its tribute of admiration to the people of Tennessee for their devotion to the memory of Washington and the principles of patriotism which he embodied; and they desire to thank especially the Committee on Contests, the local chairmen and their committees, and all others who have assisted in these activities and celebrations.

Respectfully,

John H. DeWitt, Chairman,  
J. A. Roberts, Secretary.

WASHINGTON CELEBRATION AT VANDERBILT  
UNIVERSITY

Program

of

Bicentennial Lectures

February 22-24, 1932.

THE FACULTY

OF

VANDERBILT UNIVERSITY

INVITE YOU AND YOUR FRIENDS TO HEAR

THE LECTURES ON GEORGE WASHINGTON

GIVEN BY

DR. WILLIAM E. DODD

Chairman of the Department of History  
University of Chicago

FEBRUARY 22-24, 1932

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GEORGE WASHINGTON

LECTURE I

THE REVOLUTION

- a. The Making of George Washington.
- b. A Virginia Planter and the Rights of Englishmen.
- c. The Commander-in-Chief.

LECTURE II

THE CONSTITUTION

- a. The Disappointments of the War and the Treaty of 1873.
- b. The Economic Consequences and Threatening Anarchy.
- c. Washington Takes the Lead Again.

LECTURE III

YOUNG AMERICA AND REVOLUTIONARY EUROPE

- a. Amazing Prosperity.
- b. The Ideals and Extravagances of France.
- c. Social Reaction and the End.

## WASHINGTONIANA AT STATE LIBRARY DRAWS INTERESTED VISITORS\*

At the Tennessee State Library this week is being shown a rare collection of Washingtoniana, books removed from the shelves of the library and attractively assembled in honor of the George Washington bicentennial celebration. Several hundred citizens and school children have visited the library and enjoyed the exhibit.

Here may be seen some forty different pictures of the Father of our Country, as well as many of the Washington family—bust portraits, full length portraits, silhouettes, copies of fine drawings, etchings, in black and white, and in oil, by such well known artists as Peale, Joseph Wright, Trumbull, Gilbert Stuart, and the Houdon bust.

No phase of Washington's life seems to have escaped the painter, from the seclusion of his home surrounded by his wife and adopted children, through his social life, military life and the days when his hand ruled our Government.

Books are opened at the pictures of the log cabin, corn houses, and barns on Wakefield estate, Washington's birthplace, at his old mill at Epsewasson, head of Dogue Bay, at his town house built in 1762, his office in Winchester, and Christ Church in Alexandria.

There are beautiful pictures of Mary Cary, Washington's first love, his first interview with Mrs. Custis who became his wife, and one showing their marriage ceremony.

One finds here pictures of Washington's headquarters at Morristown, N. J., at Cambridge, Mass., at Gadsby's Inn, in Virginia, Washington at Trenton, Crossing the Delaware, Washington and his Generals, Washington and LaFayette at Valley Forge, Washington as a Virginia Colonel of Militia, Washington landing in New York for his inauguration as first President of the United States, and another shows him taking the oath.

One table is devoted to pictures of Mount Vernon, the nation's historical shrine, seen at every angle, even from the air. A view of the west front is shown as built by Lawrence Washington in 1743, enlarged by George Washington during the revolution, an interesting view of the landward front, the kitchen garden, an ivy-covered sun dial. Several pictures show the Washington monument in sunlight, in moonlight, and in rain.

Washington City is shown from the monument, and in cherry blossom time.

The Washington family history and coat-of-arms have attracted many researchers to the library this bicentennial year.

Holland's beautiful picture in color shows Barkham Manor, home of the ancestors of the hero's mother, and Sulgrave Manor is shown since its restoration.

Kenmore at Fredericksburg, home of Betty Washington shows one of the fine mantels with plastic decorations designed by General Washington, representing several of Aesop's fables.

Included in the exhibit is the picture and story of the Mary Washington monument, erected near her birthplace "in an oak grove where she used often to resort for private reading, meditation and prayer." The erection of this monument was begun by private fund forty-five years after her death. Andrew Jackson participated in the imposing ceremonies at the laying of the cornerstone, May 7, 1833. Horace Maynard of Tennessee, also was interested in effecting its completion.

Two Tennessee items of especial interest are a pamphlet, "Address before Meridian Sun Lodge No. 50, at Athens, Tenn., delivered Feb-

\*Nashville Banner, May 29, 1932.

ruary 22, 1850, by Thomas J. Campbell, Jr.," then a representative from Tennessee in the United States Congress and who died in that office the following April, and a book "George Washington the Second Mile American," by the late Dr. Charles Dehaven Bulla, published in 1931, a short time before his death. Both are autograph copies.

From the Tennessee Historical Society is exhibited a rare old account book used on the plantation at Mt. Vernon from August 1776 to August 1785, and a portion of the famous elm which stood at Cambridge, and under which Washington first took command of the American Army July 3, 1775.

On Thursday afternoon an interesting occasion at the State Library was a ten-minute talk by Dr. E. P. Dandridge of Christ Church of this city, on a subject of human interest, "Some Washingtons of the Present Generation."

The public is invited to see these books which will be displayed until June 1.

# WASHINGTON'S OLD MILL-BOOK

W. A. P.

In the files of the Tennessee Historical Society<sup>1</sup> there is to be found a volume of special interest in these Washington Celebration Days.

Pasted on the outside is the following legend:

## AN ACCOUNT BOOK

Used on the

Plantation at and near Mount Vernon.

The property of

GENERAL GEORGE WASHINGTON

From

August 1776 to May 13, 1785.

(some leaves torn out)

---

Presented by

Mr. J. K. Brown, of Nashville, January 8, 1861.

---

A note accompanying it, pasted on the inside of the first blank page reads:

"Nashville, Jan. 8, 1861.

I send you a book purported to be the Account Book of George Washington. It was brought here for exhibition.\* I believe by chance the Owner ran away and left this memento,—which may be of more use to you than myself.

Please accept,

Yours truly,

J. K. BROWN."

After the book had become the property of the Tennessee Historical Society it seems that Col. A. W. Putnam, an official of the Society and the author of the valuable volume, *History of Middle Tennessee*, sought to procure more particulars about it, and perhaps got in touch with descendants of the Williams family of Williamson County, Tenn. Anyhow, Col. Putnam's name is found on the back of the volume, and it no doubt was in his possession as custodian, for some years,—the Society having held no meetings during the Civil War. A narrative accompanying the

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<sup>1</sup> Tenn. Hist. So. Collec. "W. No. 11½."

\*See "Broadside."

book, which is supposed to contain some facts relating to it, is also found, but there are so many unreasonable legendary statements in the narrative, known to have little basis in history, that it is impossible to give valuation to it:

"This Book was the property of John Williams, who was a soldier of the Revolutionary War, under the immediate command of Gen'l. Washington.

When the War was over Williams overseed for Gen'l. Washington and attended to his farm and business for several years and then migrated to Tennessee between 1779-1798. Arriving at Nashville where there was no houses there except one double log cabin occupied by an African.

Williams built a raft, took his wagon to pieces and placed it on the raft with his family floated it across the Cumberland & swam his horses and then moved out to Neely's bend & settled there and remained there until 1798, where his daughter, the late Mrs. Alexander, was born. Shortly after that, 1802 he removed with his brother Elisha Williams to Williamson County and settled near Duck River Ridge in the S. E. portion of the County, and departed this life in 1817, and was buried on the farm now owned by his grand-son, John W. Alexander. With this statement the Book is presented to the Historical Society of the State of Tennessee."

Research in the records of Davidson County,—which at the time embraced the territory of Williamson,—fails to give anything definite about this "*John Williams*," the earliest mention made of the name is:

John Williams,<sup>2</sup> assignee of George Vallis, a fifer (in the Revolution) is given a Grant of 857 acres of land on the waters of the Middle Fork of Goose Creek, on the East bank. Surveyed for Williams by James Sanders, March 16, 1785 by virtue of a location dated, June 26, 1784. The Military Warrant is numbered 306, and the date of the Grant is March 7, 1786. 1790. June 29th. one "John Williams"<sup>3</sup> buys of John Boyd, Lot No. 60 in the town of Nashville, which on Oct. 1st. of the same year he sells to Joseph Erwin for a "Certain bay horse." The same year "John Williams,"<sup>4</sup> on Aug. 26 buys of Ambrose Jones of Pitt County N. C. land on Stone's River, on the East side, above the mouth of Stewart's Creek. Witnessed by Roderick and Robert Williams. 1802 "John Williams"<sup>5</sup> buys of Joseph Dillinger 180 acres on the East side of Mill Creek, and likewise, James Titus sells him land on the same creek. This John Williams disposed of his holdings about 1808 to his children, Mrs. Wm. Murphy, Benj. F. and the heirs of Littlebury Williams.

<sup>2</sup>Day. Co. Deed Book, "A-94."

<sup>3</sup>*Ibid.*, "B-127."

<sup>4</sup>*Ibid.*, "B-151."

<sup>5</sup>*Ibid.*, "F-38."

## THE BOOK COPIED FOR THE LIBRARY OF CONGRESS

In the spring of 1890 the Tennessee Historical Society was visited by Dr. J. M. Toner, the noted collector of Washingtonia, and on his return to Washington City sought to interest himself in procuring a copy of the book, he informed Mr. A. R. Spofford, Librarian of Congress, of his find in Tennessee, whereupon Mr. Spofford wrote to the Society as follows:

Washington, June 4th, 1890.

Librarian Tennessee Historical Society.

Dear Sir:

Learning from Dr. J. N. Toner<sup>6</sup> the friend and benefactor of this Library, that you were favorably disposed to permit us to take a copy of a Mount Vernon Plantation Record, in possession of your Library, for the purpose of preservation in the collection. I hereby guarantee strict care of same and prompt return to your library.

Very respectfully,

A. R. SPOFFORD,<sup>7</sup>  
Librarian of Congress.

P. S. Free Postage Label enclosed.

Possibly because of the adjournment of the Society's meetings for the summer, nothing further is noted of the request until the fall following, when Dr. Toner seems to have interested the Hon. Jos. E. Washington, Congressman from the Nashville District, in the matter, as shown from the following letter:

Washington, D. C., 2nd Sept. 1890.

Jas. S. Carels, Esq.

Sec'y. of Tennessee Historical Society.

Dear Sir;

My friend, Dr. J. S. Toner,<sup>8</sup> 615 La. Ave. Washington, D. C. tells me that in a visit to Nashville last Spring, he found in the Collection of your Society a very interesting old Account Book of Gen'l. Geo. Washington,—That he asked you to lend it to him, that he sent you a franking wrapper in which you could send the Book by mail to

<sup>6</sup>Dr. Joseph Meredith Toner, was born in Pittsburgh, Pa., April 30, 1835, settled in Washington City in 1855. Had a great collection of medical works, initiated the library in the Smithsonian Institute, established the Toner Lectureship in Jefferson Medical College, in 1882 gave his library consisting of 26,000 volumes and 8,000 pamphlets to the United States Government. Appleton's Cyclo. 6. Amer. Biog. Tenn. Hist. So. Collec. "S. No. 121."

<sup>7</sup>Fitzpatrick, Editor of the "George Washington Diaries" says of Dr. Toner and his work:

"Dr. was a Washington enthusiast who freely spent himself and his substance in accumulating data concerning the First American. His accumulations are large in quantity and include a vast number of transcripts, the original of some are no longer available, if indeed they exist at all. Dr. Toner died before the present-day methods of historical criticism had been well developed, and he was in addition, handicapped at times by a too worshipful enthusiasm; but no serious study of the available Washingtonia can be made without the investigator becoming deeply impressed with the tremendous and valuable work by Dr. Toner." Fitzpatrick, I, xii.

Mr. Spofford, Librarian of Cong. who would preserve it in the vault of the Library, which is fire-proof, & as soon as Dr. Toner had finished consulting it, Mr. Spofford would return the Book to you,—free of all charge. I write to join in the request made by Dr. Toner.—He is a most excellent gentleman, a man of high scientific & literary attainments. He will take perfect care of your book & see it returned.

Dr. Toner is editing & preparing for publication a complete set of everything which Gen'l. Geo. Washington ever wrote, his first volume is now in press.

As you may imagine, this is an immense work, but the Dr. is determined to be full and exact, & he has let nothing slip, which he has been able to find anywhere,—about Gen'l. Washington.

Your Account Book will be very valuable, & it will cover in its mutilated condition a period which Dr. Toner has not been able to get, &— the Society will run no risk in parting temporarily with the Book, hence I hope you will accomodate the Dr. . . . . .

Yours truly,

J. E. WASHINGTON.<sup>9</sup>

The Washingtonia collections give little data to substantiate the story above given by John Williams as to his connection with the estate of George Washington; we find many times mention of the *Mill*, but little indeed of the “miller,” for as the contents show, the book is the *mill account* that Washington kept with his neighbors and patrons,—it does not belong to the records of his farm estates. There are in the Diaries a few allusions, viz:

“Edward Williams” was a tenant on the farm at Hunting Creek, “*John Williams*” was also a tenant of a farm in Frederick;<sup>10</sup>

1785. Thursday, Dec. 15th. “In the evening Joseph Winzor and William Kirchwall, two of my tenants from Frederick, came in and stayed all night.”

” Friday, Dec. 16th. “Before dinner, Joseph Hickman—another one of my tenants from Frederick came in, to whom, and those that came yesterday, and ————Williams, I passed leases for the land on which they live. All went away after it.”<sup>11</sup>

Another reference tells us that “John Williams” of Frederick was a tenant with an annual rental of ten and a half Pounds.<sup>12</sup>

#### DESCRIPTION OF THE BOOK

The book is an ordinary half-leather bound account book, the pages without lines, but ruled to care for the especial accounts of the mill.

It is about 12½ by 8½ inches in size; originally it contained about two hundred pages, or one hundred leaves.

<sup>9</sup>Tenn. Hist. So. Collec. W.; No. 15.

<sup>10</sup>Diaries, II, 160, 288n.

<sup>11</sup>*Ibid.*, II, 457.

<sup>12</sup>*Ibid.*, II, 457n.



The accounts occupy each, two pages,—a debtor and a credit page. Only about one hundred and ten of these pages were used in the list of accounts, the remaining leaves, left no doubt blank for further accounts, were later on torn out to be used possibly for letter writing or otherwise.

The book has first an alphabetical index of names, covering pages I-IV., then blank pages, V-VII.—left possibly for further indexing,—then the two-page accounts covering one hundred and ten pages. By reference to the index it is found that there were originally two more accounts of two pages each, making a total of 114 pages used.

As before stated these accounts are those belonging to a grist-mill business, as the charges made concerns the output of a mill of this character,—Viz. the terms used are: "Ship-stuff," "bran," "shorts," "middlings," "flour," "super-fine flour," "wheat," "corn," and casks for shipping over the waters.

The Mount Vernon estate at the time consisted of about one thousand acres and the divisions of it were known as the "Mansion House," "Union," "Muddy Hole," "Dogue Run," and "River" farms.\*

Accounts against all these farms appear in the Book, and each was treated as a separate customer,—having a charge account.

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1760. March 10, Monday;<sup>13</sup>

"Rode to my plantation and the Mill, and there partly agreed with Jerry Mitchell to *rebuild* my Mill when she run dry in the Summer."

" March 15. Saturday.<sup>14</sup>

"The vast quantity of rain which has fallen in the last two days had swelled the waters so high that Dogue Run carried off the Tumbling Dam of my Mill and was near carrying the house also"

1760. March 17, Monday.<sup>15</sup>

"Went to my mill, took a view of the ruins the fresh had caused; determined however to repair it with all expedition, and accordingly set my carpenters to making wheel and hand-barrows."

" March 24. Monday.<sup>16</sup>

"Began repairing my mill-dam with hands from all Quarters, carpenters included"

" March, 25. Tuesday.<sup>17</sup>

"All hands busy employed on the Dam, again the water was

<sup>13</sup>*Ibid.*, I, 136.

<sup>14</sup>*Ibid.*, I, 138

<sup>15</sup>*Ibid.*, I, 139.

<sup>16</sup>*Ibid.*, I, 141.

<sup>17</sup>*Ibid.*, I, 142.

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\*See the new George Washington Atlas, Bi-Centennial Commission, map 2.

stopt and the work in a fair way of receiving a finish by to-morrow night."

" April 8. Tuesday.<sup>18</sup>

"At day-break it was pouring very hard and it continued so, till 7 oclock, when a messenger came to inform me that my mill was in great danger of blowing. I immediately hurried of all hands with shovels &, to her assistance and got there myself just time enough to give her a reprieve for this time by wheeling dirt into the place which the water had washed.

Here also I tried what time the mill required to grind a bushel of corn, and to my surprise found she was in five minutes of an hour about it. This, old Anthony attributes to the low head of water, but whether it was so or not, I can't say; her works all decayed and out of order, which I rather take to be the cause."

1768. Jan. 18.<sup>19</sup>

"Will put new girders into my mill, where they have sunk."

" May, 23.<sup>20</sup>

"My carpenters and House people went to work on my mill, repairing dams, hightening them and opening the race."

1770. Feb. 2.<sup>21</sup>

"Agreed with Joseph Goart, a stone-mason to come down and raise stone out of my quarry for my mill, at the rate of three Pounds per month,—twenty six days to the month, and lost time to be made up."

" March 6.<sup>22</sup>

"Joseph Goart, a stone-mason, came heré to raise stone."

" March, 22.<sup>23</sup>

"Rid to the mill and laid off with the mill-wright the foundation of the New Mill-house."

" April 14.<sup>24</sup>

"Hull and the stone-mason came here to set about my mill, but did not begin work until about the 17th."

" " 17.<sup>25</sup>

"Hull and his partner began to raise stone."

" " 19.<sup>26</sup>

"The mason went to digging the foundation of my mill, at two shillings and six pence per day."

" Sept. 4.<sup>27</sup>

"Got on the second floor (or rather the last floor, the wall being that hight) of my mill."

" " 22.<sup>28</sup>

"Received from Edward Snickers the mill-stones he was to get for me, which were thinner by two inches than what were bespoke,—20 Pounds."

<sup>18</sup>*Ibid.*, I, 151.

<sup>19</sup>*Ibid.*, I, 251.

<sup>20</sup>*Ibid.*, I, 271.

<sup>21</sup>*Ibid.*, I, 366.

<sup>22</sup>*Ibid.*, I, 370.

<sup>23</sup>*Ibid.*, I, 370.

<sup>24</sup>*Ibid.*, I, 375.

<sup>25</sup>*Ibid.*, I, 375.

<sup>26</sup>*Ibid.*, I, 375.

<sup>27</sup>*Ibid.*, I, 398.

<sup>28</sup>*Ibid.*, I, 399.

10

## Dr. Dr. James Craik

1777				
March	5	To two Barrels of Superfine Flour Nett 410	2	16
		To two Barrels of Middlings Nett 450	2	11 1/2
		To Four Casks for the Grocer ad 20		6 0
April	21	To one Barrel of Flour Nett 497	1	11 2 1/2
May	14	To 10 Barrels of Superfine Flour Nett 1650	16	27
		Light Cask ad 1		16
1778			24	12 11
February	24	To two Barrels of Superfine Flour Nett 423	6	6 10 1/4
		Cask		6
July	10	To two Barrels of Superfine Flour Nett 3000	5	16 5
		two Casks		0

DR. CRAIK'S ACCOUNT

1779 June	By Collm. t. in Plantation Book.	<del>24</del> <del>25</del>	24 12 11	Cr
1779 March	By Collm. t. in Plantation Book.	12 17	32 1/2	

DR. CRAIK'S ACCOUNT (Continued)

10.

Dr.

Doct. James Craik

1777					
March	5	To two Barrels of Super fine Flour			
		Nett-410/@157	3	1	6
		To two Barrels of Midlings-----			
		Nett-450 @-----	2	14	11½
		To five casks for the above-----@ 20d.		6	00
April	21	To one Barrel of Flour--Nett-197. @ 15			
		with cask 20d.	1	11	2½
May	14	To 8 Barrels of Super fine Flour-----			
		Nett-1613 @ 20	16	2	7
		Eight casks ----- @ 21		16	
			24	12	11
1778					
Feb.	24	To two Barrels of Super fine Flour-----			
		Nett-423 @ 30	6	6	10¾
		Cask-----		6	
July	8	To two Barrels of Super fine flour-----			
		Nett-388 @ 30	5	16	5
		two casks-----		8	

Cr.

1777					
June		By settlement in Plantation Book -----	24	12	11
1779					
March	19	By Settlement in Plantation Book-----	12	17	3¾



- " Dec. 19th.<sup>29</sup>  
 "Finished digging and leveling the mill-race from Piney Branch."
- " " 22.<sup>30</sup>  
 "Began to grind some in my mill, being let in on the fore bay."
1771. Jan. 27.<sup>31</sup>  
 "Received news of part of my mill wall falling in."
- " March 20.<sup>32</sup>  
 "Began to manufacture my wheat with the water of Piney Branch, which being insufficient to keep the mill constantly at work, and country custom coming in, no great progress could be made."
- " April 5.<sup>33</sup>  
 "Turned the water of Dogue Run into my mill-race, which seems to afford water enough for both mills, one of which is constantly employed in grinding up my own wheat."
1788. Nov. 2. Sunday.<sup>34</sup>  
 "After dinner word was brot. from Alexandria that the Minister of France was arrived there and intended down here to dinner. Accordingly a little before sun setting, he (the Count de Moustiers, his Sister, the Marchioness de Brehan, the Marquis, her son, and Mr. Du Ponts came in.—"
- " " 5. Wednesday.<sup>35</sup>  
 "The Minister and Madams de Brehan expressing a desire to walk to the New Barn, we accordingly did so, and from thence through the French Plantation to my Mill, and from thence home, completing a tour of at least seven miles."

## THE ACCOUNTS

The foregoing cuts represent one of the pages showing the debtor and credit account of Dr. Craik,\* many of them however are much larger and carry items different from this one, yet all cover matters of a grist mill.

<sup>29</sup>*Ibid.*, I, 455.

<sup>30</sup>*Ibid.*, I, 455.

<sup>31</sup>*Ibid.*, II, 5.

<sup>32</sup>*Ibid.*, II, 12.

<sup>33</sup>*Ibid.*, II, 16.

<sup>34</sup>*Ibid.*, III, 341.

<sup>35</sup>*Ibid.*, III, 341.

\*JAMES CRAIK, physician, b. in Scotland in 1731. d. in Fairfax county, Virginia, Feb. 6, 1814. He was educated to be a surgeon in the British Army, but came to Virginia early in life, accompanied Washington in the expedition against the French and Indians in 1754, and was in Braddock's disastrous campaign in 1755, attending that general after his defeat, and assisting in dressing his wounds. We owe to Dr. Craik the details of Washington's remarkable escape at Braddock's defeat.

. . . During the Revolutionary War he served in the medical department, and rose to the first rank. He was active in disclosing the conspiracy of 1777, to remove the commander-in-chief, and in 1781, as director-general of the hospital at Yorktown, was present at the surrender of Cornwallis. After the war he removed to the neighborhood of Mount Vernon, at Washington's request, and attended him in his last illness. Washington spoke of him as "my compatriot in arms, my old and intimate friend." (Appleton's Cyclopedia of Amer. Biog.)

Further is annexed from the Index, the names of the patrons appearing in the Book, many of which names are to be found in the Index Volume of the George Washington Diaries.

Adams, Abednego.	Kirk, James.
Adam, Robert M.	Keene, Wm.
Amis, John.	Lane, James H.
Barry, William.	Lynn, Adam.
Bishop, Thomas.	Mason, Col. George.
Boudoin, James.	Morton, Mrs. Jane.
Bradberry, ———.	McCarty, Daniel, Jr.
Broder, Joseph.	Moore, James.
Brown, Capt. William.	McCarty, Col. Daniel, Sr.
Burton, Benjamin.	Mauzy, Peter.
Craik, Dr. James.	Peak, Humphry.
Cleveland, Eli.	Price, Oliver.
Cleveland, Alexander.	Peers, Valentine.
Cleveland, James.	Payne, Edward.
Curtis, James Parke.	Roberts, William.
Crella (?), Peter.	Simpson, Moses.
Chechester, Richard.	Songster, Thomas.
Closet (?), Cyrus.	Spencer, Frank.
Conway, Capt. Richard.	Stone, Daniel.
Gibson, John.	Stith, Col. Robert.
Green, Thomas.	Sinclair, John.
House, Nome.	Stone, Samuel.
Hutchison, John.	Stone, Caleb.
Hammond, Gervis.	Summer, George.
Haley, William.	Triplett, Thomas.
Herbert, William.	Triplett, William.
Hagan, John.	Thomson, James.
Harrison, Nooe L.	Vilot, William.
Hornbuckle, Thomas.	Washington, Laurence.
Hunter, Gen'l. Wm.	Washington, Lund.
Jenifer, Dr. Walter.	Ward, Zachariah.
Keene, James.	Wagner, Peter.
Kinchello, David.	Watson, Josiah.
Knowles, John.	Wily, John.
Keaton, Wm.	Washington, Edward.

## CENTENNIAL ANNIVERSARY, NASHVILLE, FEBRUARY 22, 1832\*

The citizens of Nashville and its vicinity are respectfully and urgently invited to unite into carrying into effect the arrangements of their Committee, for celebrating the HUNDREDTH ANNIVERSARY OF THE BIRTH-DAY OF GEORGE WASHINGTON, in a manner worthy of the interesting and important occasion and of the Metropolis of the growing and prosperous State of Tennessee.

The following arrangements have been adopted, and will be conformed to as strictly as possible; and all persons referred to in the following sketch, including every class and description of citizens and strangers; are invited to co-operate in producing order, regularity, decorum, and mutual satisfaction on the occasion.

The dawn of Wednesday, 22d February, will be ushered in by the firing of cannon, and firing will be repeated at appropriate intervals. At 10 o'clock the signal gun will be fired for the moving the procession, which will be arranged, under the direction of the Marshals, at the Market House, on the Public Square. The different bodies who are invited to join the procession are requested to meet at an early hour, so as to be on the Square at half past 9 o'clock—it being intended that the procession shall be formed, and commence moving at 10 o'clock precisely.

The utmost punctuality is requested, in order to prevent unnecessary and unpleasant delay.

The procession will be arranged in the following order:

### MARSHAL

Pupils of the several schools, under the direction of their respective Instructors, as an escort.

Governor of Tennessee, Secretary of State and Treasurer of Middle Tennessee.

Senator and Representative of Davidson County.

Other Members of the Legislature, if in Nashville.

Strangers.

Committee of Arrangements.

Orator and Reader of the Farewell Address.

### MUSIC

Masonic Fraternity.

Mayor and Aldermen of Nashville.

---

\**The Nashville Republican and State Gazette*, February 21, 1832. Collection of Tennessee Historical Society.



Recorder and City Treasurer.  
 Reverend Clergy.  
 Trustees of the University of Nashville.  
 Professors and Tutors of the University.  
 Judges of the Supreme Court.  
 Other Judges and Justices of the Peace.  
 Members of the Bar.  
 Sheriff and Deputy Sheriffs of Davidson County.  
 Medical Faculty.  
 Mechanic Association, preceded by a Car carrying a Printing Press,  
 from which will be furnished copies of Washington's  
 Farewell Address.  
 Officers of the 115th Regiment, in Uniform.  
 Students of the University.  
 Citizens and young men.

The Literary Societies at the University will please attend as separate bodies, with their badges.

The procession, thus arranged, will move from the Public Square, up Cedar Street and through Summer St. to the Episcopal Church. On reaching the door of the Church, the van of the procession will halt, and the pupils of the schools will open to the right and left, and suffer the rest of the procession to pass through:

The centre or body pews of the Church and those on each side of the pulpit will be reserved for the procession, and the pews in the South gallery for the pupils of the schools. The wall pews below, and the pews in the north gallery will be appropriated to the accommodation of the ladies.

The exercises at the church will consist of

Voluntary on the Organ.  
 Prayer by the Rev. Mr. Weller.  
 Sacred vocal Music, accompanied by the Organ.  
 Reading of Washington's Farewell Address, by Thomas Washington, Esq.  
 Oration by the Rev. Philip Lindsley, D. D.

After the exercises, the Procession will again form in the same order, and march down Spring street to Cherry street, to the Market-house, where they will be dismissed.

WILLIAM WHITE,  
 JOHN WILLIAMS,      *Marshals of the day.*  
 BENJ. F. FOSTER,

N. B. The celebration will conclude with a ball in the evening at the City Hotel.

The Committee of Arrangements for the celebration of the hundredth Anniversary of the birth of Washington, are requested to meet at Decker & Dyers to-morrow morning at 9 o'clock.

---

The Trustees of the University will meet at Mr. Dyer's precisely at 9 o'clock to-morrow morning.

---

Gentlemen of the Medical Faculty will meet at the Circuit Court room, tomorrow morning at 9 o'clock precisely.

---

Members of the Nashville Mechanics Association, will assemble in the large room in the basement story of the Court house, tomorrow morning, at 9 o'clock.

---

The Mayor and Aldermen of Nashville will meet at the City Hotel, to-morrow morning, 22d inst. at 9 o'clock.

---

The Judges, Justices of the Peace and Members of the Bar, are requested to meet to-morrow morning, 22d inst. at 9 o'clock, at the Circuit Court Room in the Court House, for the purpose of arranging themselves to join the procession, in honor of the day.

# WASHINGTONIA

W. A. R.

## WASHINGTON LETTERS IN THE COLLECTION OF THE TENNESSEE HISTORICAL SOCIETY

(Correctly copied, May 31st, 1858.)

Headquarters 26th May, 1780.<sup>1</sup>

Sir:

I am exceedingly happy to hear that matters are again reduced to a state of tranquility in the Brigade under your Command. I am very much obliged to you for your exertions upon the first appearance of a proceeding of so dangerous a nature and for your conduct throughout the whole of it.

Mutiny, as you very properly observe, cannot in any case be justified, but still, if the Commissaries, by partiality of issues, have in any degree given ground of complaint they shall be called to an account and made to answer for it.

I am with Esteem  
& Sir.

Yr. most obt. Servt.  
G. Washington.

Colo. Meiggs.

(Directed to)

Colo. Meiggs.

Comm'd. Connect. Brigade.

G. Washington.

Peeks Kill. Aug. 4, 1780.<sup>2</sup>

Dr. Sir.

I have received your letter of this date and am exceedingly sorry that any events should occur to require you to be absent from the Army. I am convinced that those on which you have founded your request, are of a delicate and interesting nature, or that you would not have made it.

In this view I cannot but consent to your going home, and I will not undertake to limit the day of your return. I am persuaded it will be as soon as circumstances will admit, and I have only to add my wishes that you may find those to be such, as to justify it immediately.

I am, Dr. Sir.  
With great regard & esteem,  
Your Most Obed. Servt.  
G. Washington.

(Directed to)

Colo. Meiggs.

6th Connecticut Regmt.

<sup>1</sup>Collection of the Tenn. Hist. Society. "W. No. 12."

<sup>2</sup>Collection of the Tenn. Hist. Society. "W. No. 12."

LETTER OF GEORGE WASHINGTON TO JAMES MADISON.<sup>3</sup>

Mount Vernon, May 20th, 1792.

My dear Sir,

As there is a possibility if not a probability, that I shall not see you on your return home;—or, if I should see you that it may be on the road and under circumstances, which will prevent my speaking to you on the subject we last conversed upon; I take the liberty of committing to paper the following thoughts, and requests:

I have not been unmindful of the sentiments expressed by you in the conversations just alluded to:—on the contrary, I have again, and again revolved them, with thoughtful anxiety; but without being able to dispose my mind to a longer continuation in the office I have now the power to hold.—I therefore still look forward to the fulfilment of my fondest and most ardent wishes to spend the remainder of my days (which I cannot expect will be many) in ease and tranquility.

Nothing short of conviction that my dereliction of the Chair of Government (if it should be the desire of the people to continue me in it) would involve the Country in serious disputes respecting the chief magistrate, and the disagreeable consequences which might result therefrom in the floating, and divided opinions which seem to prevail at present, could, in any wise, induce me to relinquish the determination I have formed; and of this I do not see how any evidence can be obtained previous to the Election. My vanity, I am sure, is not of that cast as to allow me to view the subject in this light.—

Under these impressions then, permit me to reiterate the requests I made to you at our last meeting—namely—to think of the proper time, and the best mode of announcing the intention, and that you would prepare the latter.—In revolving this subject myself, my judgment has always been embarrassed.—On the one hand, a previous declaration to return, not only carries with it the appearance of vanity and self-importance, but it may be construed into a manoeuvre to be invited to remain.—And on the other hand, to say nothing, implies consent; or, at any rate, would leave the matter in doubt; and to decline afterwards might be deemed as bad, and uncandid.

I would fain carry my request to you farther than is asked above, although I am sensible that your compliance with it must add to your trouble; but as the recess may afford you leisure, and I flatter myself you have dispositions to oblige me, I will, without apology desire (if the measure in itself should strike you as proper, and likely to produce public good, or private honor) that you would turn your thoughts to a valadictory address from me to the public; expressing in plain and modest terms, that having been honored with the Presidential Chair, and to the best of my abilities contributed to the organization and administration of the government—that having arrived at a period of life when the private walks of it, in the shade of retirement, becomes necessary and will be most pleasing to me;—and the spirit of the government may render a rotation in the Elective Officers of it more congenial with their ideas of liberty and safety, that I take my leave of them as a public man;—and in bidding them adieu (retaining no other concern than such as will arise from fervent wishes for the prosperity of my Country) I take the

<sup>3</sup>Lithograph, fac-simile. The original in possession of J. C. McGuire, Esq., Washington City, D. C. See Vol. XII, p. 382 of the Life of Washington, by Jared Sparks. (Presented to the Tennessee Historical Society ["W.—No. 13"] by E. G. Eastman, Esq.)

liberty at my departure from civil, as I formerly did at my military exit to invoke a continuation of the blessings of Providence upon it and upon all those who are the supporters of its interests, and the promoters of harmony, order and good government.

That to impress these things it might, among other things be observed, that we are *all* the children of the same country—a country great and rich in itself—capable, and promising to be, as prosperous and as happy as any the Annals of history have ever brought to our view.—That our interest, however deversified in local and smaller matters, is the same in all the great and essential concerns of the Nation. That the extent of our Country—the diversity of our climate and soil—and the various productions of the States consequent of both, are such as to make one part not only convenient, but perhaps indispensably necessary to the other parts;—and may render the whole (at no distant period) one of the most independant in the world.—That the established government being the work of our own hands, with the seeds of the amendment engrafted in the Constitution, may by wisdom, good dispositions, and mutual alienances, aided by experience, bring it as near to perfection as any human institution exer aprosimated; and therefore, the only strife among us ought to be, who should be foremost in facilitating and finally accomplishing such neat and desirable objects; by giving every possible support, and cement to the Union.—That however necessary it may be to keep a watchful eye over public servants, and public measures yet there ought to be limits to it; for suspicions unfounded, and jealousnes too lively, are irritating to honest feelings; and after times are productive of more evil than good.—

To enumerate the various subjects which might be introduced into such an address would require thought; and to mention them to you would be unnecessary, as your own judgment will comprehend all that will be proper; whether to touch specifically any of the exceptionable parts of the Constitution may be doubted.—All I shall add therefore at present, is, to beg the favor of you to consider—1st. the propriety of such an address.—2nd. if approved, the several matters which ought to be contained in it—and 3rd. the time it should appear; that is, whether at the declaration of my intention to withdraw from the service of the public—or to let it be the closing act of my administration—which, will end with the next session of Congress (the probability being that that body will continue sitting until March) when the House of Representatives will also dissolve—

Though I do not wish to hurry you (the cases not pressing) in the execution of either of the publications before mentioned, yet I should be glad to hear from you generally on both—and to receive them in time, if you should not come to Philadelphia until the Session commences, in the form they are finally to take.—I beg leave to draw your attention also to such things as you shall conceive fit subjects for communication on that occasion, and, noting them as they occur that you would be so good as to furnish me with them in time to be prepared, and engrafted with others for the opening of the Session.—

With very sincere and affectionate regard, I am—

Ever Yours

G. WASHINGTON.

James Madison Jun. Esq.

## WASHINGTON'S THREATENED CRISIS AND HIS LAST RESORT PLANNED—THE OHIO AND MISSISSIPPI VALLEY

"Leaving seven thousand men under General Lee, Washington crossed the Hudson River into New Jersey, and took a position in the neighborhood of Fort Lee" (Fort Washington was taken on November 14th, 1776).—"Shortly afterwards, Lord Cornwallis crossed over to the Jersey shore, captured Fort Lee, with all its artillery and stores; its garrison having been saved by a previous evacuation.

General Washington then retreated to Newark. But he saw no hope of being able to remain there. He feared that he would be compelled to retire still farther. 'Should he retreat,' said he, addressing Col. Read, 'to the back parts of Pennsylvania, will the inhabitants support us?'. The Colonel replied that if the lower counties were subdued, and surrendered, the upper districts would do the same. 'We must retire, then,' rejoined Washington, 'to Augusta County in Virginia; numbers will be obliged to repair to us for safety, and if overpowered, we must cross the Alleghany Mountains.'

But the General's situation became yet more distressing. The term for which his army had enlisted was on the point of expiring; the British Commander offered pardon and reward to all who would, within sixty days desert the Colonial interests; and, where it was expected he would withdraw to winter-quarters, pursued the diminished army in its retreat.

Lord Cornwallis at the head of six thousand regulars, was so close behind General Washington as he retired during nineteen days, with about three thousand undisciplined troops, to Brunswick, Princeton, Trenton, and the Pennsylvania side of the Delaware that the rear of one army pulling down bridges, was often within a shot of the other's van, hastening to repair them.

Scarcely one of the people joined the retreating army, whilst numbers were daily flocking to the Royal Standard, to obtain forgiveness and protection.

Not only the lower classes changed sides in this gloomy season of adversity, but some of the leading men in New Jersey and Pennsylvania, particularly Mr. Gallaway and Mr. Allen, two members of Congress, adapted the same dasterly expedient, and declared themselves at all times, averse to independence. Everything seemed tending to Colonial overthrow.

General Lee, one of the most distinguished colonial officers, was taken prisoner; a dispirited half-clad army was on the eve of being disbanded; the neighborhood of Philadelphia became the seat of warfare, and Congress removed for safety to Baltimore."<sup>1</sup>

"General Washington in the gloomiest period of the Revolution, said to Colonel Read, that in the event of further reverses, he would retreat to Augusta County, Virginia, and driven from there, he would cross the Alleghany Mountains, and take his stand in the West."<sup>2</sup>

"Had Washington's orders been obeyed and his plans carried out, history might still have recorded a retreat through 'the Jersey's,' but how different a retreat from that which was now to take place! The officious interference of Congress (viz: that Fort Washington must be held), a venial error of judgement on the part of Greene

<sup>1</sup>Wm. Grimshaw's *History of the United States*, revised edition, Philadelphia, 1830. Pp. 129-130. First published in 1821.

<sup>2</sup>*Old Redstone Presbytery*, Smith, p. 33.

(viz: remained at Fort Washington and same captured), and gross insubordination on the part of Lee, occurring all together at this critical moment, brought about the greatest disaster of the War, and came within an ace of overwhelming the American cause in total and irretrievable ruin."<sup>3</sup>

"... The terms of service for which his troops had been enlisted were now beginning to expire, and so great was the discouragement wrought by the accumulations of disasters which had befallen the Army since the Battle of Long Island, that many of the soldiers lost heart in their work. Home-sickness began to prevail, especially among the New England troops, and as the terms expired it was difficult to persuade them to re-enlist. Under these circumstances the Army dwindled fast, until by the time it reached Princeton, Washington had 3000 men remaining at his disposal (out of a former 18,000)."<sup>4</sup>

"... Well might Thomas Paine declare in the first of the series of Pamphlets entitled *The Crisis* which he now began to publish, that 'these are the times that try men's souls.'"<sup>5</sup>

1776—Dec. 8. "This retreat through the Jersey's was attended with almost every circumstance that could occasion embarrassment or depression. Washington was oppressed with difficulties on all sides. In casting his eye around, he could not promise himself adequate support from any quarter. His gloomy prospects were not brightened by any expectation on the fulfillment of which he could depend.

Distrusting, but not despairing, he asked Col. Reed:

'Should we retreat to the back parts of Pennsylvania, will the Pennsylvanians support us?'

The Colonel answered:

'If the lower counties are subdued and give up, the back counties will do the same.'

Washington nobly replied:

'We must retire to Augusta County in Virginia. Numbers will be obliged to repair to us for safety, and we must try what we can do in carrying on a predatory war, and if overpowered, we must cross the Alleghany Mountains.' . . ."<sup>6</sup>

## PRESENTS TO GENERAL WASHINGTON FROM THE KING OF SPAIN AND LAFAYETTE\*

1785. Tues. Oct. 26.

"Having received by the last Northern mail advice of the arrival at Boston, of one of the Jack-asses presented to me by His Catholic

<sup>3</sup>Fiske, *American Revolution*, Vol. I, pp. 218-219.

<sup>4</sup>*Ibid.*, pp. 224-225.

<sup>5</sup>*Ibid.*, pp. 228-229.

<sup>6</sup>*Life of Washington*, Ramsey, p. 57.

\*Washington was desirous of introducing a good breed of Jackasses into America and had made inquiry to that end. The Spanish law forbade the exportation of any blooded Jack, and when the King of Spain heard that General Washington was endeavoring to procure in Europe asses of the best breed, for the purpose of raising mules on his estates, made him a present of three,—a jack and two jennies, and sent over with them a person who was acquainted with the habits of these animals and the mode of treating them. He arrived at Mt. Vernon early in December, and after his instructions were taken down in writing by Washington, left on the 20th. The jack, called ROYAL GIFT was about fifteen hands high. (*Penn. Mag. of Hist. & Biog.*, Vol. XIX, p. 32, 1885. *George Washington Diaries*, Fitzpatrick, II, p. 428.)

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Magesty, I sent my overseer, John Fairfax, to conduct him and his keeper, a Spaniard, home safe; addressing him to Lieut. Governor Cushing,—from whence I received the information."

1785. Oct. 25.

"By John Fairfax, for his express to Boston, to be accounted for, 28 Pounds."

Fairfax accomplished his mission and returned to Washington the unexpended sum of 2 pounds, 8 shillings and one pence. The carefully drawn instructions (Oct. 26, 1785) for his guidance, fill three folio pages in Washington's Letter-Book. On the same date Washington wrote to Cushing; "As the Jack is now safely landed and I am unwilling to hazard him again at sea, I have sent a man, in whom I can confide to conduct him and the Spaniard to this place by land."

The Spaniard's name was Pedro Tellez.<sup>1</sup>

1785. Dec. 19th. "To Count de Florida Blanca, Minister of State, from Spain to the United States.

At Mt. Vernon, Monday, December 19th, 1785.

My Homage is due to His Catholic Magesty for the honor of his present. The value of it is intrinsically great; but it is rendered inestimable by the manner, and the hand it is derived from.

Let me entreat you, therefore, Sir. to lay before the King my thanks for the Jack-asses, with which he has been graciously pleased to compliment me.

Washington.<sup>2</sup>

1785. Tuesday, Dec. 20th.

"Dispatched at his own request the Spaniard who had the charge of my Jack from Spain. Sent him with Mr. Shaw to Alexandria to go in the Stage to New York."<sup>3</sup>

Washington made Tellez a present of 21 Pounds and furnished him with the following certificate;<sup>4</sup>

"The Bearer of this, Pedro Tellez, is the Spaniard who was sent from Bilboa in Spain with one of the Jack-asses, which were presented to me by His Catholic Magesty, and is on his journey to New York, to the Minister of Spain, with a view of returning to his own country from thence.

Not being able to speak any other language than that of his native tongue, it is requested as a favor of good people on the road to assist and direct him properly,—which will be considered as an obligation conferred on,

Go. Washington."<sup>5</sup>

1786, Nov. 16. Thursday. "At Mt. Vernon.

On my return home (from riding to the plantation), found Mons' Compoin, sent by the Marquis de La Fayette with the Jack and two She-asses, which he had procured for me in the Island of Malta, and which had arrived at Baltimore with the Chinese pheasants &c. had with my Overseer &c. got there before me.—These asses are in

<sup>1</sup>George Washington Diaries, Fitzpatrick, 1924, p. 428.

<sup>2</sup>Penn. Mag. of Hist. & Biog., XIX, 1885, p. 32.

<sup>3</sup>Diaries, II, p. 458.

<sup>4</sup>Ibid.

<sup>5</sup>Ibid.

good order and appear to be fine.—The Jack is two years old, and the She-asses, one three, and the other two.”<sup>9</sup>

1786. Friday, Nov. 17.

“At home writing all day.”

On this day Washington wrote to Lafayette;

“On Thursday last I received in very good order from Baltimore under the care of Mons<sup>r</sup>. Compont, the most valuable things you could have sent me, a Jack and two She-asses, all of which are very fine. The Pheasants and Partridges are coming around by water, for these also I pray you accept my thanks.

Jacques Compont lost his pocket-book, money and papers on the way, and Washington did not know whether these animals were a gift or not. He wrote to Lafayette asking for a memorandum of the expense, but there is nothing in the Washington Papers settling the matter. It seems, however that the Jacks were gifts from the Marquis.”<sup>7</sup>

February 14th, 1787, Washington wrote to Compont;—

“The asses are in very good order but I am sorry to inform you that the Gold cock and the silver hen-pheasant are dead; and other appears to be drooping, and I am afraid that all the care and attention which is paid to them will not be able to preserve them.”

In connection with this matter the entries in the Ledger-Book, under the head of Lafayette, are interesting. On the Credit side, 1786, Oct. the Marquis is credited,—“By one Jack Ass and two Jennetts sent to me by you from the Isle of Malta.”<sup>8</sup>

1786. Nov. 29.

“Mr. Compont . . . sent out for Alexandris to proceed in the Stage for Baltimore. Gave him 30 Louis does for his trouble.”<sup>9</sup>

The Jacks and Jennetts were sent in furtherance of Washington's desire to introduce a good breed of mules in the United States. The King of Spain sent him a pair (one of which died on the way), “The Spanish Jack seems calculated to breed for heavy slow-draught; and the others (the Lafayette Jacks) for the saddle or light carriages. From these, altogether, I hope to secure a race of extraordinary goodness, which will stock the country. Their longevity and cheap keeping will be circumstances much in their favor. I am convinced, from the little experiments I have made with ordinary mules (which perform as much labor, with vastly less feeding than horses), that those of a superior quality will be the best cattle we can employ for the harness; and indeed in a few years, *I intend to drive no other in my carriage*, having appropriated for the sole purpose of breeding them, upwards of twenty of my best mares.”<sup>10</sup>

<sup>9</sup>*Penn. Mag. of Hist. & Biog.*, Vol. XIX, 1885, p. 40.

<sup>7</sup>*Diaries*, III, p. 139, n.

<sup>8</sup>*Ibid.*

<sup>9</sup>*Ibid.*, III, p. 142.

<sup>10</sup>*Ibid.*, III, p. 138, n.—Washington to Arthur Young, October 4, 1788.

## WANSEY, AN ENGLISH TOURIST IN AMERICA, VISITS WASHINGTON IN PHILADELPHIA<sup>11</sup>

1794. Friday, June 6.

"Had the honor of an interview with the President of the United States, to whom I was introduced by Mr. Dandridge, his Secretary. He received me very politely, and after reading my letters, I was asked to breakfast. There was very little of the ceremony of Courts,—the American will not permit this; nor does the disposition of His Excellency lead him to assume it.

I confess I was struck with awe and veneration when I recollected that I was now in the presence of one of the greatest men upon earth,—the GREAT WASHINGTON,—the noble and wise benefactor of the World!, as Mirabeau styles him;—the advocate of human nature,—the friend of both worlds. Whether we view him as a General in the field vested with ultimate authority and power, at the head of a victorious army; or, in the Cabinet, as the President of the United States; or as a private gentleman, cultivating his own farm,—he is still the same man, anxious only to discharge with propriety the duties of his relative situation.

His conduct has always been so uniformly manly, honorable, just, patriotic and distinguished, that his greatest enemies cannot fix on any one trait of his character that deserves the least censure.

His paternal regard for the Army while he commanded it; his earnest and sincere desire to accomplish the glorious object for which they were contending; his endurance of the toils and hazards of war, without ever receiving the least emolument from his country; and his retirement to private life after the peace, plainly evince, that his motives were the most pure and patriotic, that could proceed from a benevolent heart.

His letters to Congress during the War, now lately published in England, as well as his Circular Letter and Farewell Orders to the Armies of the United States, at the end of the War,—shew him to have been justly ranked among the fine writers of the age.

When we look down from this truly great and illustrious character, upon other public servants, we find a glaring contrast; nor can we fix our attention upon any other great men, without discovering in them a vast mortifying dissimilarity!

. . . The President in his person, is tall and thin, but erect; rather of an engaging than a dignified presence. He appears very thoughtful, is slow in delivering himself, which occasions some to conclude him reserved, but it is rather, I apprehend, the effect of much thinking, and reflection, for there is great appearance to me of affability and accommodation.

He was at this time in his sixty-third year, being born February 11th, 1732, O. S. but he has very little the appearance of age, having been all his life-time so exceeding temperate. There is a certain anxiety visible in his countenance with marks of extreme sensibility.

Notwithstanding his great attention and employment in the affairs of his well-regulated government, and of his own agricultural concerns, he is in correspondence with many of the eminent geniuses in the different countries of Europe, not so much for the sake of

<sup>11</sup>Henry Wansey, a Wiltshire clothier and wool merchant, a man of fair culture and business ability, in the Spring of 1794 came on a tour of business investigation from England to America. His especial interest was industry, wool manufacturing, yet he displayed an intelligent interest in all that he saw and heard. On his return to England he published in 1796, *The Journal of an Excursion to the United States of North America in the Summer of 1794.*

learning and fame, as to procure the knowledge of agriculture, and the arts useful to his country.

. . . Mrs. Washington herself made tea and coffee for us. On the table were two small plates of sliced tongue, dry toast, bread and butter, &c. but no broiled fish, as is the general custom.

Miss Custis, her grand-daughter, a very pleasing young lady of about sixteen, sat next to her, and her brother, George Washington Custis, about two years older than herself.

There was but little appearance of form; one servant only attended, who had no livery; a silver urn for hot water, was the only article of expense on the table.

She appears something older than the President, though I understand they were both born in the same year; short in statue, rather robust; very plain in her dress, wearing a very plain cap, with her grey hair closely turned up under it.

She has routs or levies (whichever the people choose to call them,) every Wednesday and Saturday, at Philadelphia during the sitting of Congress. But the Anti-Federalists object even to this, as tending to give a super-eminency, and introductory to paraph of Courts. . . .

As I am speaking of Virginia, I would here inform my readers that there is a Parish in the County of Westmoreland called WASHINGTON, as long ago as 1720 or 30,—before the President was born, his family having come out from England (Lincolnshire, I believe) about 1657, and settled in that part of Virginia. There is a Parish in England called WASHINGTON somewhere in the County of Durham, from which the family probably emigrated."<sup>12</sup>

## WASHINGTON'S DESIRE FOR RETIREMENT

Sunday, January 18th. 1792. At Mt. Vernon.\*

"The first wish of my soul is to spend the evening of my days as a private citizen on my farm; but, if circumstances,—which are not yet sufficiently unfolded to form the judgement or opinion of my friends,—will not allow me this last boon of temporal happiness, and I should once more be led into the walks of public life, it is my fixed determination to enter there, not only unfettered by promises, but even unchargable with creating of feeding the expectation of any man living for my assistance to office"

Monday, March 9th. 1792. At Mt. Vernon.

"I will therefore declare to you, that, if it should be my inevitable fate to administer the Government (—for Heaven knows that no event can be less desired by me, and that no earthly consideration short of so general a call, together with a desire to reconcile contending parties as far as in me lies, could again bring me into public life,) I will go to the Chair under no pre-engagements of any kind of nature whatsoever. But, when in it, I will, to the best of my judgement, discharge the duties of the office with that impartiality and zeal for the public good, which ought never to suffer connections of blood or friendship to intermingle so as to have the least sway on decisions of a public nature."<sup>13</sup>

<sup>12</sup>Wansey's Journal, pp. 122-125.

<sup>13</sup>Washington to Benjamin Harrison, *Ibid*.

\*Penn. Mag. of Hist. & Biog., Vol. XIX, p. 324.

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## MAJOR TILMAN DIXON

BY HON. S. M. YOUNG

The name Tilman as applied to Major Dixon has been variously spelled. One, and by far the most usual method is Tilman; another is Tillman, another Tilghman, and still another Tighlman. Since the first-named form is the one the owner commonly employed,—the one that appears on the Dixon tombstones, in the Dixon Wills; in the Dixon land surveys, and in the surveys of neighboring lands, in the official Court and County records for a period of more than a century, being thus generally, if not universally adopted and approved, it seems but natural and altogether proper that I should adhere to it,—which I shall do.

Tilman Dixon is said “to have come from Edgecombe County,” North Carolina. Henry Dixon, his father, lived in Caswell County and died there in the year 1795. In one or the other of these two counties Tilman Dixon may or may not first have seen the light of day; but I feel reasonably assured that we shall not go far afield to assume that he was native to some part of the Old North State.

Henry Dixon’s Wife was Elizabeth, but her family name, (as names far back are prone to do), has passed from the memory and the records of mankind. In his will Henry Dixon mentions as his sons, Tilman and Charles only; yet we know there were others, some of whom, and we assume all, died before the execution of the will. In the probable order of their birth the sons of Henry and Elizabeth Dixon appear to have been, Roger, Archibald, Tilman, Charles and Henry (called Hal). Charles died 1800. Col. Hal Dixon who was a Colonel of Militia in the Battle of Camden, and who died 1782, was doubtless one of the most brilliant officers of the Revolution. In that memorable conflict, he is said to have held the field with unflinching courage even after his supporting forces had deserted and disappeared. Extended sketches of him appear in Schenck’s North Carolina, pages 89, 466 and elsewhere. He married Martha, daughter of Col. William Wynne and Wife Frances, of Halifax and Pittsylvania Counties, Virginia.<sup>1</sup>

So far as we know, Tilman Dixon’s first appearance upon the stage of his pioneer activities was at the Sycamore

<sup>1</sup>William Wynne was made a Colonel 1753; died 1778.

Shoals of the Watauga, whither he is supposed to have come with Col. Richard Henderson, and where, in May 1775 he became a subscribing witness to the conveyance by Oconostota, Attacullaculla and other Cherokee Chiefs, to the white settlers, of the lands on the Watauga and Holston Rivers, since known as the Watauga Purchase." John Sevier and Jesse Benton were other witnesses; and the fact that Dixon was called to witness this important treaty and in such distinguished company is unquestionably a tribute to his high standing among his fellows.

It is to be inferred, however, that he did not long remain with the Wataugans, since, in November of that year (1775), we find him back in the settled parts of the State, when and where he was made a Lieutenant in the First Battalion of the First North Carolina Regiment in the Revolutionary Forces. Something more than a year later (Feb. 15th, 1777), he was promoted to the rank of Captain, and in such capacity served in the First Regiment of the North Carolina Line, in the Brigade of Gen. Francis Nash, for whom the City of Nashville was named. It is quite likely that he was in the Battle of Germantown where Gen. Nash was killed; and it is a matter of record that he fought at King's Mountain on the 7th of October, 1780, with Sevier and Shelby and Cleveland and Campbell, whose intrepid mountain men destroyed at one death blow the British Army division under Col. Ferguson, turned back the tide of war, and made possible the ultimate victory and independence of America.

#### THE SOCIETY OF THE CINCINNATI

Major Dixon had the distinction of being a member of the exclusive, patriotic organization known as the "Society of the Cincinnati," established at the close of the Revolution, by the influence of General Washington, and he is designated in Washington's correspondence as "a captain who served till the end of the War." His title of Major was acquired later and it is assumed in the militia service, though at just what date I do not know.

Not long after the Revolutionary struggle had ended, Major Dixon was called as a witness to testify before the General Assembly of North Carolina, and in the following January (1787) the Assembly did him the honor to nominate him as one of the officers to be ballotted for as Major Commandant of the Western Troops to be known as the "Cumberland Battalion." Thomas Evans was the other

nominee, and the two were ballotted for with the result that Evans was chosen.<sup>2</sup>

Evidently, however, Dixon's ambition held a compelling "urge" toward the Western Country that was not to be long repressed for soon,—inferentially the following year,—1788,—he cast his lot with the Westward flowing stream of humanity to make his home on the North Carolina Grant issued to him on the 14th day of March, 1786. He was either the first or second settler within the bounds of Smith County; the other being Captain William Walton, who located his grant on the North side of Cumberland, opposite the Mouth of Caney Fork, and embracing the present site of the town of Carthage, now, and from the date of its founding in 1804 the Capital of the County. Each of them had been a Captain in the Revolution, and through practically the whole of it. Their two grants were issued on the same day, by the same authority and for the same number of acres. Which of them made the first actual settlement, it seems to me at this late day, impossible to determine. Dr. Bowen seems inclined to concede the distinction to Captain Walton, but I think it only a guess.<sup>3</sup>

#### THE DIXON ESTATE

Major Dixon's Grant of Thirty-eight Hundred and Forty Acres of virgin Middle Tennessee soil constituted a magnificent estate. Really, I should hardly know where to look for a finer one. In this all but matchless "Blue Grass Basin," it lies North of the Cumberland, just Westward of the Creek which bears his name, and of the Village which took its name from the big, bold Spring a few yards South of the Public Road, State Highway No. 25, and now by act of the present Legislature, Tilman Dixon Highway, a famous and favorite Camping Place for travellers during the long period of Westward migration in the early days. The original name of the Village that grew up near by was Dixon's Spring, but years ago the official designation of the Post Office was changed to Dixon Springs. On this splendid property Major Dixon erected an imposing log residence of eight or more ample rooms, halls and porches, substantial outhouses, negro quarters and barns. The four front

<sup>2</sup>Captains of the three Companies composing this Cumberland Battalion, were, respectively, Joshua Hadley, who settled in Hadley's Bend of the Cumberland, above Nashville, on the site of the present town of Old Hickory; Wm. Martin, who settled at "Bellview" on Dixon's Creek near Dixon Springs, and died 1846; and ..... Hunter, with whose subsequent career I am not familiar. For two years the Battalion was on the "Frontiers," chiefly in what is now Middle Tennessee, engaged in the perilous task of fighting Indians and protecting settlers and forts against their murderous depredations.

<sup>3</sup>Dr. John W. Bowen's *History of Smith County*, 1888. Never printed in book form, but only in newspaper serials.



rooms,—two below and two above,—together with the two brick additions on the East and West respectively, and the handsome double gallery between, erected not long before the Civil War, by the late Col. James H. Vaughan, then the owner, are yet standing, in fair condition and regularly occupied. The part that formed the “L” of the original structure was torn away in the eighties to be used in the construction of another building.

The residence is beautifully situated, on a gentle elevation, some forty yards North of the Highway, and commands a superb outlook toward every point of the compass. To the East, West and South the fertile bottoms of Dixon’s Creek, and the Valley of the Cumberland to the North and North-west, a broad vista of rolling uplands terminating in the wooded hills of what is now Trousdale County; the whole presenting a picture of unusual attractiveness and appeal. I own the homestead part of this land, approximately 275 acres, most of which was purchased in 1917.

Major Dixon was not only the first settler here; as in war he had shown himself a valiant and patriotic soldier, even so in time of peace he was none the less a superior, outstanding citizen; and from the date of his settlement at Dixon’s Spring to the day of his death in 1816, he did not spare his devotion and his energies in the upbuilding of his chosen community and section. He was one of the wealthiest of the settlers in this part of the Cumberland country; the first Post Master; the first merchant; the first tavern keeper. He built the first school-house in the neighborhood, was one of the first magistrates of the County, and a member of the Court of Pleas and Quarter Sessions,—the first Tribunal held in the County,—and which convened in his residence, December 16th-17th, 1799. His home, therefore may be called, and not inappropriately, “*The Birthplace of Smith County.*”

#### DISTINGUISHED GUESTS

This Dixon Home was long a favored stopping place for the owner’s friends and those inclined to more luxurious surroundings than the camp afforded; and many notables were entertained there. Two instances occur to me at the moment:

In the year 1792, William Blount, then Governor of “The Territory South of the Ohio,” a part of which later became the State of Tennessee, on an overland journey from Knoxville to Nashville, camped with his party for a night at Peyton’s Creek; and while there they captured a pack-horse loose in the wood, laden chiefly with a featherbed and

trunk filled with hats and shoes. On arriving at Dixon's Spring the next day they found the horse belonged to Dixon.<sup>4</sup> This statement may imply that Major Dixon was not only a settler at Dixon's Spring at that time, but that he had been a settler there long enough for the place to have become well known by that name? If so, it would go likewise to confirm my estimate that the year of his arrival could not have been much, if at all later than 1788. Too, it may be reasonably inferred that he was already a merchant, and that the shoes and hats were being brought across the mountains for his trade.

The other instance is that of the visit of Louis Philippe, Duke of Orleans and afterward King of France. The date was 1797, and he was on his famous "Tour of America" over an itinerary laid out by General George Washington. The Duke mentions in his diary that his party consisting of himself, his two brothers,—the Counts de Montpensier and Beaujolais and a man-servant, "Had, at Major Dixon's", the luxury of coffee, and two beds for four." All went well, it seems, until "bed time" when Major Dixon with due politeness accompanied his guests to their sleeping quarters. Then, the Duke sensing that others also were to share the chamber, turned to his host and said: "Do you know whom you are entertaining? I am a Prince of the Blood." The Major was not slow to retort: "Yes, and my boys are princes of the blood; they'll be in here with you."

Just when Major Dixon was married I cannot say, but his wife was Mary, or Maria (Called Polly) Don Carolus, and they had five children,—three sons and two daughters. The sons were Don Carolus, Americus Vespuccius and Tilman. The daughters were Mary Greenaway and Eliza Henry. Major Dixon died as stated in the year 1816, and is buried in the family graveyard something like a hundred yards North-east of his residence. His tomb is of the type known as a "box tomb,"—panels of dressed stone set on edge in parallelogram form, the length and width of the grave, with carved pilasters at corners and centers, and covered with a broad, flat capstone approximately two inches thick. It bears the following inscription:

"In Memory of Major Tilman Dixon.

He was an Officer in the Revolution, an Honest Man  
and a Soldier;

Born June 26th, 1750, Died April 2nd, 1816.

By His Daughter, M. G. Overton."

<sup>4</sup>Breazeale's *Life As It Is*.

His wife sleeps by his side in a similar tomb bearing this inscription:

In Memory of Mary Dixon,  
consort of Major T. Dixon  
Born May 4th, 1767, Died Aug. 26th, 1806.

By Her Daughter, M. G. Overton.

The name Don Carolus seems strongly suggestive of a Spanish origin, but just what significance should be attached to this we may only surmise. I have not been able to trace her lineage nor to find out who were her kindred.

#### LARGE PERSONAL ESTATE

In addition to his extensive land holdings, Major Dixon accumulated a bountiful personal estate. His will bequeaths not less than seventy-odd slaves, and others were disposed of at public sale after his death a few weeks later. So that without doubt we are justified in classing him among the wealthier settlers of the Cumberland Country. It is, perhaps, not inopportune here to remark, that the larger part of the property, both real and personal was left to the sons rather than to the daughters; However, the latter may have been, and I think were to some extent provided for by gifts from their father during his lifetime.

Don Carolus Dixon, the eldest son, is reputed to have been a young man of the highest character, splendid physique and fine promise. And in order that the reader may perceive something of the esteem in which he was held, I am copying here a letter written in his interest by Col. William Martin to Gen. James Winchester just prior to the outbreak of the War of 1812.

The Letter follows:\*

"Bellview, 13th January, 1812.

Dear Sir:—

Mr. Don Carolus Dixon, (son of the Major), wishes an appointment as an officer in the additional army of the United States, and considering that much respect will be paid to your recommendations in that way, he requests the favor of you to name him to the proper authority for that purpose in such a manner as you may think he merits. And knowing at the same time that you have no personal acquaintance with him, he has asked me to say to you what I think of his qualifications.

\*As indicating the value of an indorsement by Col. Martin, we may observe in passing, that he was both a soldier in the Revolution and the son of a soldier (Gen. Joseph Martin). That he fought with distinction as Colonel of the 2nd Regiment, Tenn. Volunteers in the War of 1812, that he filled with credit many places of honor and trust in Virginia, North and South Carolina and in Tennessee, including that of Presidential Elector for Jefferson in 1804 and again for Madison in 1808.

In the doing of which I have much pleasure, as I can say nothing but in the way of praise; for, having been intimately acquainted with him since he was a small boy, I can say with truth that I have never known or heard of his having committed an improper act. His person is tall, (say upward of six feet), and handsomely proportioned; a fine, black, penetrating eye, with a countenance and manners altogether prepossessing.

And, to add to all this a classical education, a head susceptible of great attainments and a heart that swells with philanthropy and patriotism,—in short nothing can be said of him but in commendation, and here he is considered an example of propriety. Of his valor I can say nothing, he never having been put to that test. But, if any calculation can be made from blood we may hope favorably, for he comes from the stock of an old Revolutionary War Veteran at a time too shortly after the noise of that day was hushed, and before the fire which stimulated our fathers to battle had fully subsided.

The Old Warrior has his company of Revolutionary Veterans nearly complete; by next mail you may expect to receive his return.<sup>5</sup>

The due bill I took from your hemp company, I put into the hands of Champ Madden to whom I owed some money, and he informs me that payment was not made when it was presented, which works a considerable inconvenience to me. We have no news worth your notice.

With respect I am,

Your Friend and Fellow Citizen,

William Martin."<sup>6</sup>

I have no doubt all will agree that they have seldom read a more favorable commendation of any young man. And, as a result, Don Carolus Dixon received his appointment as Captain or First Lieutenant. He resigned, however, in 1813. He had attended school at Bradley Academy near Murfreesboro, later studied medicine, became a Doctor and located in Carthage where he practised his profession for many years. It has been said that in later life his usefulness was much impaired by his indulgence in drink.

Dr. Don Carolus Dixon, born 1792, died 1841, was twice married; first in 1815 in Mercer County, Kentucky, to Mary Jouett Allen, who died 1818. They had one son Tilman who died in infancy. In 1819 Dr. Dixon married at Dixon Springs, Miss Elizabeth Harriet Bilbo, and they had three children,—Americus Vespucius, who died in childhood; Mary Eliabeth born 1822, who married Dr. James Langston Goree in 1841, and they lived in Arkansas on Maple Grove Plantation near Pine Bluff.<sup>7</sup> She is said to have

<sup>5</sup>This Company, composed of fifty-odd Veterans of the Revolution, known as the "Smith County Revolutionary Volunteers," organized early in 1812, with Captain Tilman Dixon, Captain; Captain William Walton, 1st Lieutenant; Captain William Alexander, 2nd Lieutenant, tendered to Gen. Winchester their services for the approaching War with Great Britain. In the rather lengthy preamble,—evidently written by Col. Martin,—published in the *Democratic Clarion and Tennessee Gazette* at Nashville, March, 1812, it is recited that while they realize that they are too old to take the field, they can and will protect the homes while the younger men do the fighting.

<sup>6</sup>This letter in the archives of the Tennessee Historical Society at Nashville.

<sup>7</sup>Dr. Bowen says, "Mr. Goree lived in South Alabama." He may have lived there before his marriage and moved to Arkansas afterward.

been a young woman of unusual intelligence and amiability. Dr. Charles William Dixon, the third child, born 1825, died 1857, married in 1849, Eliza Virginia Bashaw, born 1833, died 1853; their son Charles Virginius Dixon, born 1853, died —, married in 1878, Cornelia E. Pendleton; their son, Dr. Charles William Dixon, born 1879, married in 1907, Evelyn Trawick; they reside in Gould, Arkansas, and have one son, Tilghman Edmund Dixon, born 1908.

Americus Vespucius Dixon, son of Major Tilman Dixon and commonly called "Mack," seems to have been of a mold quite different from that of his brother Don Carolus. He was more of a woodsman and hunter, and cared little, I imagine for books and schooling. Esquire W. H. Flippen and his brother Tilman B. Flippen both of whom have recently died, in this county, Samuel F. Ward and Mrs. Virginia F. Meyer (daughter of Roger Dixon Flippen, Dec'd) all of Carthage and related to the Dixons, knew "Uncle Mack," in his lifetime and if he was ever married they never knew of it. He lived mostly just "around and about among his kin."

Tilman the Major's other son, must have died in his young manhood without ever having married; at least there is no mention of him in his father's will.

Mary Greenaway, the eldest daughter married Hon. Archibald W. Overton, a prominent land-owner and lawyer of Carthage, and a member of the Legislature from Smith County. They had no children.<sup>8</sup>

Eliza Henry, the younger daughter, who was educated in Kentucky, married Dr. James Overton, brother of Hon. A. W. Overton mentioned above. They lived in Nashville and had several children, none of whose names are known to the writer. It is said that one of their daughters married George Allen of Nashville, a brother of Hon. Joseph W. Allen of that city.<sup>9</sup>

In usefulness, progress and the offices of good citizenship, Major Dixon may well be compared with the highest type of his fellow settlers; men and women who, drawn by their appreciation of the best, sought 2th wonderful Bluegrass Basin because of its favorable location, its wholesome climate, its splendid topography, its pure and abundant water, and its fertile soil. They were shrewd, intelligent, and aspiring. They were a match—and they knew it—for any type of man that ever walked the earth, whether white, black, yellow or red. Most of them

<sup>8</sup>Col. Overton owned the farm later known as the Roger D. Flippen place in "Fite's Bottom," a remarkably fertile section some four miles northwest of Carthage.

<sup>9</sup>Letter of Col. Robert I. Chester of Jackson, Tenn., to Dr. John W. Bowen, 1883.

had seen military service, and they were as fearless as the Caesars. Not a few of them were distinguished. Such men as Col. William Saunders, Col. William Walton, Capt. William Alexander (Rowan Bill), Major Wm. Cunningham, Capt. Sampson Williams, Edmond Jennings, Rev'd Daniel Burford, (first Register of the County, and ordained in the year 1800 as first Pastor of the first church established in the county,—the Missionary Baptist Church on Dixon's Creek), John McGhee, (the first Methodist Minister), and Wm. McGhee, his brother, the first Presbyterian Minister in the county, Capt. Grant Allen, Peter Turney, (Grandfather of "Governor Pete"), Major Brice Martin, the flatboat in the Campbells, the Bradleys, the Bridgewaters, the Allens, the Gordons, the Hogans, the Youngs, the Moores, the Drapers, the Herods, the Ligons, the Beals, the Gregorys, the Haynies, the Keys, the Cages, the McClellans, the Seays, the Harts, the Hibbetts, the Crenshaws, the Lauderdales, the Donohos, the Brevards, the Wards, the DeBows, the Greers, the Gwinns, the Wilsons, and an ever-increasing, though unnumbered host of others. All have crossed the "Great Divide"; some have left none to bear their names; some, still filled with the ever quickening spirit of adventure, transplanted themselves, their families and their posterity, to distant states or distant lands. But, I venture the assertion that few, if any, found better homes in which to live and die than the homes they left behind in Middle Tennessee. I am backing the original judgment of the original "Cumberland Country Settler." He was, indeed,—

'Of that bold yeomanry, a Nation's pride,  
Which, once destroyed, can never be supplied.'

"Dixona."

Dixon Springs, Tenn.

**FROM FRONTIER TO PLANTATION IN TENNESSEE; A STUDY IN FRONTIER DEMOCRACY.** By Thomas Perkins Abernethy, *Associate Professor of History in the University of Virginia.* (Chapel Hill: The University of North Carolina Press, 1932. Pp. xi, 392. \$3.50.)

JAMES WELCH PATTON

In a volume dedicated to the late Frederick Jackson Turner, Professor Abernethy, believing that the national field is too broad to allow of minute examination and that "the study of a single state, not with an eye to its local politics but concentrating on its development as a community, should throw new light upon the growth of our democracy," has applied to Tennessee his distinguished professor's famous thesis that the basis of American history is to be found in the insatiable hunger of the pioneer for free land.

For a number of reasons Tennessee offers unique advantages for the purpose of such a study. It was the first state to undergo the territorial status, and its boundaries included the earliest organized transmontane settlements; therefore its inhabitants were "shackled neither by powerful precedent, nor crystallized public opinion, nor petrified institutions in developing their community life." Situated also on the borderland between the West and the Old South the state possessed elements of the economic and social life of each of these sections and offers an excellent field for the study of the effects of the blending of these respective cultures. Lastly, and what is perhaps most important, Tennessee is almost unique among Western states in having a land problem of her own.

Dividing the ante-bellum history of the state into five separate periods, Professor Abernethy finds that each period was dominated by the aspirations and interests of some particular character or clique who, sometimes openly, sometimes in the background, secured the common man's support by manipulating issues and prating on the virtues of democracy and, incidentally, with the single exception of Andrew Johnson, used their positions for political advancement and private aggrandizement.

In the first period, extending from 1769 to 1796, to which over half of the book is devoted, this condition is especially marked. Evidence is adduced to show that the

early settlers of Tennessee were not intransigent enemies of class and privilege, fleeing from North Carolina after the collapse of the Regulator movement at Alamance, but rather that the transmontane movement had its inception in the machinations and intrigues of land-grabbing Conservatives of the type of William Blount, John Sevier, and Richard Caswell who "cared less for principles than for power and in many cases . . . were able to straddle issues and draw strength from both sides because of their reputation and influence." Led by William Blount, the "prince of western speculators," whose figure looms large in the early history of the Southwest, this group "more often worked with the Radicals because the Radicals were more often in power" although "their natural sympathy was likely to be with the Conservatives," while at the same time they helped themselves to generous portions of the Western domain.

In this connection new light is shed upon the State of Franklin. Hitherto considered by historians as the cry of the West for freedom, Professor Abernethy finds the movement to have been in reality a game played between two rival groups of land speculators. Blount, Sevier, and Caswell, holding vast tracts of Western lands which they had secured by questionable methods hoped to effect the cession of the transmontane region to congress so as to validate their claims but were thwarted in their efforts by the repeal of the cession act in the North Carolina legislature. Thereupon Arthur Campbell and other speculators who had had no share in Blount's and Caswell's plans took advantage of the frontiersmen's resentment over the cession act to bring about independence, expecting to remove the West from the control of the North Carolina politicians and give the outsiders a chance at the lands. In this emergency Sevier accepted the governorship of the rebel state to prevent its government from interfering with the land claims held by himself and his North Carolina friends. He accomplished his purpose, and his administration, which in the eyes of the world appeared to end in failure, really ended in complete success for its backers. That the movement was not a democratic one is shown in the fact that the land claims of the speculators were left untouched by the rebel legislature and the conservative North Carolina constitution, with its Presbyterian confession of faith as a requirement for voting, was adopted by the Franklinites in preference to a liberal one.

The second period of the state's history, 1796 to 1819, was marked by political quiescence, but with the third, 1819



to 1836, appeared the rise and culmination of "Jacksonian Democracy." Reviewing the career of the titular head of this movement in the state, Professor Abernethy finds a figure far different from that which has usually been presented by the filiopietistic historians who have heretofore lauded Jackson as the apotheosis of Western democracy. Not to the manner born this swagger sandy-haired youth set himself up from the beginning of his career to be a "gentleman," and "his vices and principles were those of the gentlemen of his day." Beginning his political career as the protege of William Blount he learned his lesson under that master, but unfortunately falling into a violent quarrel with John Sevier he proved a failure as a state politician. Retiring into the relative obscurity of a country merchant and a rustic judge he was called forth by the War of 1812, became the hero of New Orleans, although his previous military experience had been meager, and "a group of keen and unscrupulous practitioners of the art of fooling the people put him over as the anointed prophet of the new order." In reality William Carroll was the leader of the movement in Tennessee which bears Jackson's name, and not only did he oppose Carroll but the hero of New Orleans "had no interest whatever in the humanitarian movement which was in full tide during the period. Nearly all of his friends and advisers were either conservatives of the old school or sharpers of the new order. He was a figurehead rather than, in any real sense, the leader of the democratic movement which bears his name."

During the next period, of which James K. Polk was the typical leader, with the comfortable planter rather than the militia colonel in control of the party of the people, no great progress was made in the cause of democracy. With the election of Andrew Johnson as governor in 1853, however, a democratic revival began. Similar to the movement of the Jackson period it sought to put political power more directly in the hands of the people, but it was different in spirit and leadership. The earlier movement was general; this was local and personal, having its origin and its life in the person of Andrew Johnson, "the only true and outstanding democrat produced by the Old South, for he never was absorbed into the privileged class; he never ceased to be one of the people."

Of the outstanding figures of the state's ante-bellum history Andrew Johnson receives the last but most favorable comment. William Blount, shrewd and crafty, passes through the territorial period, rarely failing "to place himself in the situation where his influence would best serve

his private interests"; James Robertson emerges with little more than the trappings of a successful Indian fighter; while Sevier falls from his pedestal as a frontier idol with the stains of corruption, forgery, and cowardice upon his stature. Jackson is denied the credit for initiating the movement for which he has been chiefly remembered; William Carroll and James K. Polk are given scant treatment; while John Bell and James Chamberlain Jones have suffered for their Whiggery in being almost consigned to oblivion. Apparently Professor Abernethy worships at the shrine of "the Plebeian and Patriot."

It is to be regretted that so little emphasis is placed on the activity of the Whig party in the state and that so much more space is given to the frontier than to the plantation period of the state's history. By way of compensation for this omission, however, the chapters of the public lands and the gigantic frauds that were perpetrated in connection therewith constitute the best and most inclusive treatment that has appeared on that interesting and complicated phase of the history of Tennessee. Of similar interest, but of less detail and length, are chapters on the social, economic, educational, and religious life of the period.

Those who adore the memory of the heroes of King's Mountain and regard the State of Franklin as the first cry of the West for freedom will not be impressed with Professor Abernethy's work, but the discriminating historian will admire his fearlessness in giving a realistic account of the issues that led to the settlement of the state and the true motives that have actuated so many of our great democrats in their desire to serve the people.

Converse College, Spartanburg, S. C.

THE SENATORIAL CÄREER OF THE HON. FELIX GRUNDY (Continued)

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# THE SENATORIAL CAREER OF THE HON. FELIX GRUNDY

BY FRANCIS HOWARD EWING

(Continued from page 135)

## CHAPTER V

### GRUNDY AND THE PUBLIC LAND QUESTION

The public land policy during the years 1830 to 1840 experienced many changes, and to a Westerner they were of great importance. The frontier furnished an outlet for individual enterprise which kept the pioneer ever advancing a little further westward. Comparatively cheap land was necessary to attract the adventurous and restless. A representative of this section, Grundy maintained this attitude throughout his senatorial career. The extension of the frontier to him meant the growth of a stronger America, for in the West real patriotism developed. Perhaps the land problem personally interested Grundy more than any other question which came before the Senate while a member of that body. He had always lived and worked in a western environment. His childhood experiences had aroused in him a sentiment so strong and favorable to the West that he was never unmindful of his people. Grundy had seen his two brothers slain by the Indians. He had learned by hard experiences what opportunities the West held; and if only its natural resources were given a chance to develop, that it would expand beyond the wildest dream. To accomplish this, however, land had to be the cornerstone to the great empire. So with such deep attachments and memories, Grundy, aflame with zeal for his frontier, directed his great powers to build and expand the nation into a greater America, where nationalism would replace industrialism.

#### OPPOSED TO BOUNTIES, BONUSES AND NATIONAL AID

Grundy believed that men as well as nations became great and strong unassisted by bounties, bonuses or national aid. Upon his entering the Senate, the debate on Foote's Resolution scattered the sparks that lighted the fire of his enthusiasm on the subject of State independence and self-reliance. The question of the disposition of the unsold land in the western states gave the Tennessean an opportunity to oppose the somewhat popular sentiment that these

lands should be returned to the respective states in which they were situated by virtue of their sovereignty. He felt that the states absolutely had no claims nor interest in them, and should not receive them, even though the general government should act so improvidently and unwisely as to make the offer. Grundy at all times stood for independence, as it fostered devotion to that government which gave and guaranteed protection to liberty. True to his principle, he was not willing "to see twenty-four states feed upon the crumbs that fall from the Federal table."<sup>141</sup> Neither did he want the states to be pensioners upon the bounty of the Federal Government. Grundy, in advocating these views, said: "I invite them to adopt principles, and pursue a course, calculated to preserve their independence.

#### INDEPENDENCE OF THE STATES

If the States are to remain independent, it can only be effected by their relying upon their own resources, and exerting their own energies; and in never looking to this Government for supplies which can be furnished or withheld at pleasure."<sup>142</sup> To Grundy, this act of receiving money from the sales of the public domain meant that serious results would certainly follow; for first, when the States surrendered a part of their sovereignty they became subservient to the will of the General Government; and, second, it complicated and confused the understanding of the machinery of government and of the sources from which public revenues were derived. As a result of this lack of comprehension, Grundy realized that the security of an intelligent administration of governmental affairs was lost, and the respect for the State was destroyed, as the States would look to the General Government for their financial support. He did not doubt "that the reception of the money would be sweet to the taste, but bitterness and death would follow,"<sup>143</sup> for the power in the Federal Government would be practically unlimited. Grundy's second prediction stated a fundamental principle that has come down to to-day, that is, that Federal and State jurisdiction must remain separate if the nation and state sovereignty, the purpose and intention of the founders of the government, are to be preserved.

<sup>141</sup>*Debates of Congress*, Vol. VI, Pt. I, p. 211.

<sup>142</sup>*Ibid.*, Vol. VI, Pt. I, p. 211.

<sup>143</sup>*Debates of Congress*, Vol. VI, Pt. I, p. 211.

## CONSTITUTIONALITY OF GIVING BOUNTIES

Having anticipated the results of the policy of giving bounties, Grundy began to question the constitutionality of returning the unsold land to the States. From the beginning of the debate it became evident that the Tennessean's judgment was that the General Government was the rightful owner of the public domain. The Government had owned these lands prior to the existence of the States in which they were situated, and the States had neither bought nor paid for them. To him, the same sovereignty which the States claimed gave them the lands, secured the title of the unsold lands to the General Government. Grundy considered this argument fundamental, self-evident, and axiomatic.<sup>144</sup>

## PROCEEDS OF PUBLIC LANDS

The real problem to Grundy was to what object should these lands or their proceeds be applied? The General Assembly of Virginia declared that the revenue arising from the sales of land should be used for paying the public debt, and Grundy agreed with this thoroughly, as a forty-eight million dollars indebtedness remained on the public domain. It was an encumbrance upon the United States, and as such should be extinguished before applying the revenue to other purposes in order to preserve the good name and credit of the country. His opinion in relation to the public debt did not concur with Webster's. The New Englander felt no particular concern about it, but Grundy was anxious and solicitous to eliminate the liability. Definite benefits would arise from complying punctually with all its engagements. It would promote and establish public credit, which naturally added strength and prestige to a nation. It would place America among the wonders of the world, for while the country was still in its infancy the public debt would be discharged, besides acquiring vast territories extending "along the seacoast near two thousand miles to the West and from the Northern Lakes to the Gulf of Mexico."<sup>145</sup> He thought with the lessening of the public burden, labor and industry would be relieved from the payment of an annual tax of at least fourteen million dollars, for instead of twenty-four million being needed to carry on the Government, only ten million would have to be raised. This amount of taxes would be sufficient, for it would be supplemented with the revenue from land sales.

<sup>144</sup>*Idem.*

<sup>145</sup>*Debates of Congress*, Vol. VI, Pt. I, p. 211.

Not only would this occasion great relief, but the adoption of the policy conformed with the pledge given to the old Congress at the time it received the land donation following the Revolutionary War. As a final contention, Grundy said that the disbursement of the debt would mean a fixed and permanent plan of taxation could be obtained.<sup>146</sup>

### THE SURPLUS IN THE TREASURY

Doubtless, the surplus in the United States Treasury, which was becoming quite large, caused attention to be turned to its disposition. Grundy did not feel that there should exist any extra revenue if the public debt was properly paid. However, Dickerson, the New Jersey Senator, along with other Congressmen, favored the distribution of the idle money among the States. To Grundy, such a scheme was a waste of both time and money, for after the money had been disposed of, the Government was back at the place from which it had started. To return the surplus was just, for it belonged to the States, but to collect and return it produced an extra expense to the Government through commissions and defalcations of public officers. The plan had the appearance of being useless, if the Government did not need the money, then why tax the people; or if there existed a claim for high assessments, then why not apply the surplus to the needs of the Government?<sup>147</sup> Besides this common-sense argument, Grundy did not give credence to the project of distribution, for another reason. He considered it a matter of injustice to tax one section at the expense of the others; and this was what it amounted to, for money was collected chiefly from one section and equally distributed among all the States.

### FAVORS THE WEST

Grundy, thoroughly out of sympathy with this trend of opinion in Congress, wished to see the West materially benefited. Both cession and distribution, were contrary to the independent spirit of the Tennessean, for they had the tendency to lessen initiative of the people and to make them subordinate to the General Government. Grundy favored still another policy—graduation of prices on land; fixing the price according to the location, fertility, timber and value, but at the same time, not so high as to retard sales and thereby delay the payment of the public debt. The graduation of prices conformed to Grundy's idea of sound

<sup>146</sup>*Debates of Congress*, Vol. VI, Pt. I, p. 211.

<sup>147</sup>*Debates of Congress*, Vol. VI, Pt. I, p. 211.

economics and morals, and besides it promoted frontier development. This plan at first spurred on a rush to the West. Accompanying the increase of population, revenue from the land sales would be augmented, which contributed to the payment of the government debt. Greater benefit was produced by the graduation of the prices of land—it placed within the ability of every man to become a freeholder and to have an interest in the soil, because it appealed to all rich and poor alike. It converted Eastern tenants into Western land owners, and from the fact of owning one's own home independence and patriotism was inspired in the people. Trying to thwart the desire of men to go West and take up homesteads Grundy considered as vain as attempting "to stop the torrents from a thousand hills,"<sup>148</sup> for the course of nature and of man pushed each to pursue his own happiness. The vast unoccupied area and wilderness of the frontier furnished the main ingredients, competence and independence, for human happiness. No man-made legislation or restriction could restrain the citizens "from going to a land of ease and plenty within their reach."<sup>149</sup> Grundy was, however, more dramatic than accurate, for men do not hunt ease in a wilderness. Senator Grundy's overzealousness at times carried him to make somewhat overdrawn statements.

*(To be continued)*

<sup>148</sup>*Debates of Congress*, Vol. VI, Pt. I, p. 212.

## NOTE

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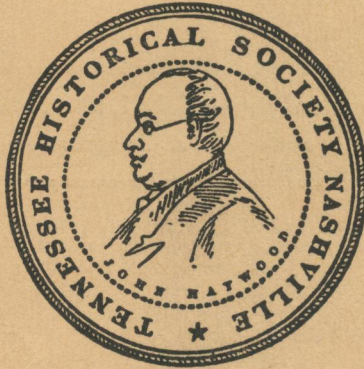


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HON. FELIX GRUNDY

By Geo. Dury, 1855. In the collection of the  
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# TENNESSEE HISTORICAL MAGAZINE

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## THE SENATORIAL CAREER OF THE HON. FELIX GRUNDY

BY FRANCES HOWARD EWING

[FELIX GRUNDY, a Representative and a Senator from Tennessee; born in Berkeley County, Va., September 11, 1777; moved with his parents to Brownsville, Pa.; thence in 1780 to Kentucky; pursued an academic course at Bardstown, Ky.; first studied medicine, then studied law, was admitted to the bar, and commenced practice in Bardstown, Ky., in 1797; member of the Kentucky constitutional convention in 1799; member of the State house of representatives 1800-1805; chosen judge of the Supreme Court of Kentucky in 1806, and was soon afterwards, in 1807, made chief justice, which office he resigned in the winter of the same year; moved to Nashville, Tenn., in 1807 and resumed the practice of his profession; elected as a War Democrat to the Twelfth and Thirteenth Congresses, and served from March 4th, 1811, until his resignation in 1814; was an active factor in bringing about the War of 1812; member of the Tennessee House of Representatives 1815-1819; in 1820 was associated with Judge W. L. Brown in affecting an amicable adjustment of the State line between Tennessee and Kentucky; elected to the United States Senate to fill the vacancy caused by the resignation of John H. Eaton, and served from October 19, 1829, to July 4th, 1838, when he resigned to accept the position of Attorney General of the United States to which he was appointed by President Van Buren July 5th, 1838; resigned December 1, 1839, having been elected to the United States Senate on November 19th, to fill the vacancy in the term commencing March 4th, 1839, caused by the resignation of Ephraim H. Foster; the question of his eligibility to election as Senator while holding the office of Attorney General of the United States having been raised, he resigned from the Senate on December the 14th, 1839, and was re-elected the same day, serving from December the 14th, 1839, until his death in Nashville, Tenn., December the 19th, 1840. (Biographical Directory of The American Congress, 1927.)]

### CHAPTER I

#### GRUNDY'S POLITICAL ACTIVITIES

There are few decades in American history which furnish a more interesting period than that which include the years from 1830 to 1840. It is called by many the "Reign

of Andrew Jackson." Those who were Jackson's political enemies hurled criticism at him, and those who were his colleagues just as staunchly defended him. It was in this letter group that Felix Grundy of Tennessee was found. Mr. Grundy served in the Upper House of Congress from 1829 to 1840 with the exception of an intermission of about eighteen months during which time he was Attorney-General under Van Buren. Grundy was by no means unlearned in the arts of national politics, for he had received his earlier training in the House of Representatives in the exciting years of 1811 to 1814, when the country was for a second time at war with England. At the close of the war, he returned to Tennessee to be active in state politics until 1829.

A contemporary of Webster, Haynes, Clay, Calhoun, Tyler, Hugh L. White, Poindexter, and Forsyth, Felix Grundy was so outspoken and firm in his own convictions that his is no reflected glory. In fact, he spent the greater part of his service in opposing Clay on the tariff question; deriding Webster's faith in the United States Bank; and boldly opposing Calhoun's theory of nullification rights. Thus in one of the most brilliant assemblies of our Upper House, Grundy's ready wit and the withering sarcasm of his oratory established his standing at a time when the questions and arguments debated in that chamber went to the very foundation of our organized system of government under the United States Constitution.

## SECOND POLITICAL PERIOD

After an absence from Congress of almost fifteen years, Grundy ran in 1827 as candidate for the Lower House against John Bell. Both were friends of Jackson's, but the presidential candidate gave his support to Grundy. Bell, however, was elected, consequently it was 1829 before Grundy reentered national politics.<sup>1</sup> In October of that year he succeeded John H. Eaton in the Senate, when Eaton became Secretary of War in Jackson's cabinet. In the senatorial campaign of 1833 both Eaton and Grundy were among the candidates, and Eaton's fourteen votes kept either Grundy or Foster, the two leading contestants, from receiving a majority.<sup>2</sup> Eaton withdrew, throwing his support to Grundy who was elected after fifty-five ballots. This is evidence of the partisan political struggle which was shaking the country. His first stand on Federal and State

<sup>1</sup>Phelan: *History of Tennessee*, pp. 362-364.

<sup>2</sup>*House Journal of Twentieth General Assembly, Tenn.*, pp. 74-81.

rights<sup>3</sup> worked against him, and almost cost him his reelection.<sup>4</sup> William Carroll in a letter to Van Buren<sup>5</sup> commented as follows on Grundy's success:—

"You will have understood from our newspapers that Mr. Grundy is elected to the Senate of the United States for the next six years after fifty-five ballots. It is but justice to him to say, that his success was owing to his own ability in managing such things, and to a strong hold he has upon the great body of the people. He is now firmly fixed in his position for the next six years, and to say that he will not hold a commanding influence during that period in our State, would be doing him great injustice. He travels much through the State, is mild and social in his intercourse and makes strong impressions wherever he goes."

#### CABINET SERVICE—ATTORNEY-GENERAL

Grundy then served in this capacity until 1838, when he entered Van Buren's cabinet. Various reasons have been assigned as to why he was appointed Attorney-General. Kendall, in his autobiography, attributed Grundy's elevation to a place in the Cabinet to his fight against the bank, and the defense he made for the removal of the deposits.<sup>6</sup> In a letter of Grundy's to Polk in 1837,<sup>7</sup> it appears that his position in the Senate was not so secure at this time,<sup>8</sup> as he urged Polk to make a thorough examination of the political situation in Tennessee, and if the latter found it necessary to withdraw his name from future senatorial elections, in order to promote his party's interest, to do so. He would not for a moment, stand in the way of his party's progress, for he said, "so thoroughly am I convinced, that the good of the country requires the preservation of the principles of the present administration, that I am willing to make any sacrifice to aid in giving them effect."<sup>9</sup> The opposition to Grundy as a member of this body made his remaining in the Senate a doubtful matter, and it was probably due to his determined fight against the bank. The panic of 1837, which the opposition placed at the feet of the anti-bank men, added coals to the fire.

#### FOSTER'S TERM AS SENATOR

The approximately eighteen months' absence from the Senate made a great deal of difference to the Democratic party. Grundy's place, during this time, had been filled

<sup>3</sup>This subject will be taken up in detail in the next chapter.

<sup>4</sup>*National Republican and Literary Register*, July 12, 1833.

<sup>5</sup>*Manuscript Letter*, William Carroll to Van Buren. November 11, 1838. (See Appendix A.)

<sup>6</sup>*Kendall's Autobiography*, p. 422.

<sup>7</sup>*Manuscript Letter*, Grundy to Polk, October 17, 1837 (see Appendix B).

<sup>8</sup>*Manuscript Letter*, Polk to Van Buren, November 11, 1839 (see Appendix C.)

<sup>9</sup>McCormac, *James K. Polk: a Political Biography*, p. 113.

<sup>10</sup>*Manuscript Letter*, Grundy to Polk, October 17, 1837 (see Appendix B).

by Foster, who had not pleased his constituents at home. The correspondence between Polk and Grundy, and Van Buren and Polk at this time discloses information that Grundy was anxious to return to the Senate as soon as his term in the cabinet has expired. Leaders of the Democratic party in Tennessee were calling on the administration in Washington to allow him to return to the Senate. Grundy, in a letter to Polk<sup>10</sup> showed at length how the men of the administration were maneuvering politically to regain control of the Tennessee seats in the Senate. He believed and hoped that Foster would resign rather than disgrace himself and vote for the Independent Treasury Bill against the instructions from the Assembly of Tennessee. As for White's remaining in the Senate, Grundy felt that he too could not hold on much longer, and that his successor should be chosen as soon as possible. With these two probable vacancies occurring, he began to think of the possible candidates, one whose term would commence in 1839, and the other in 1841. Grundy was sure that White, if forced into this position, would resign, and then Polk could be chosen by the Tennessee Legislature or "the place could be filled by some person from West Tennessee for the two remaining sessions of his term." "I think," he continued, "no one would seriously complain of this arrangement. This plan would throw Foster's successor into East Tennessee and give White's to Middle Tennessee."<sup>11</sup>

#### ACTIVITY OF GRUNDY'S SUPPORTERS

The supporters of Grundy left no stone unturned in their effort to reinstate the Tennessean in Congress. Polk, a firm administration man, in a letter to Van Buren<sup>12</sup> expressed the enthusiasm with which Grundy's friends were trying to elect him to the Upper House. He assured the President that Foster was certain to resign rather than obey the resolution from the Tennessee Assembly requiring all Senators and Congressmen to vote for the Independent Treasury Bill. His resignation would call for an election of a Senator, and he felt sure that the only one upon which the Democratic members of the Tennessee Legislature would unite was Grundy. Polk disqualified Carroll due to his wretched health. The half-dozen others who had been spoken of were sure to end in a heated and natural collision if Grundy's name was withheld. Polk foresaw a multitude

<sup>10</sup>*Manuscript Letter*, Grundy to Polk, October 17, 1839 (see Appendix D).

<sup>11</sup>*Idem.*

<sup>12</sup>*Manuscript Letter*, Polk to Van Buren, November 11, 1839 (see Appendix C).



of reasons why the Attorney-General should return to the Senate. There were men in the party's ranks undeserving in talents who desired to gain the place, and felt sure that they could, if Grundy did not run, however, they were willing to "yield to Mr. Grundy, but no one of them to either of the others."

### GRUNDY—KEY MAN

In addition to this, Polk entertained no doubt of a Democratic victory if Grundy could be chosen to lead the party in the Senate. Grundy had proved his ability and would easily fall back into the workings of the machinery of politics. The difficulty that faced the party was Grundy's eligibility for election, since he was a member of Van Buren's cabinet, and if he was not qualified could they prevail upon the President to allow the Attorney-General to resign from his cabinet office? They had already obtained Grundy's consent to return and now Polk laid his case before the chief executive. Polk's plea was based upon an argument that could not be lightly treated. "You would I doubt not, be pleased to retain Mr. Grundy in your cabinet, yet for the sake of attaining a greater good, I have no hesitation in believing that you would consent to dispense with his services. His place in the Cabinet will be easily filled, whereas without the use of his name as the Democratic candidate for the Senate, in the State, the party is in imminent danger of being disorganized if not for a time disbanded."<sup>13</sup>

### ELECTED TO THE SENATE

In the fall of 1839, before he had resigned as Attorney-General, Grundy was again selected to represent Tennessee in the Senate. He felt that he could not accept the election and still remain within the limitations of the Constitution. He considered himself no longer an inhabitant of Tennessee, as he was residing in Washington during his Attorney-Generalship, and it was on this basis that he declined to take his place in Congress.<sup>14</sup> Thus, in order to make himself eligible for the honor his State would bestow on him, Grundy in 1839 resigned his place in the Cabinet. On the fifteenth of December of the same year, he was once more chosen for the Senate, and on January third, eighteen hundred and forty he took his seat in that branch of Congress.<sup>15</sup>

<sup>13</sup>*Manuscript Letter, Polk to Van Buren, November 11, 1839 (see Appendix C).*

<sup>14</sup>*Journal of the House of Representatives of the State of Tennessee, pp. 668-671.*

<sup>15</sup>*Ibid., p. 324.*

He showed the same tenacity of purpose which he had early exhibited in the Senate, up until his death on December 19, 1840.<sup>16</sup>

Van Buren said of Grundy's resignation and return to the Senate: "Received your letter resigning Attorney-General. Conduct for the short period received approbation. Patriotic activities will assure the country, that the country will be benefited by your new position in your State."<sup>17</sup> Even his political foes respected his opinions, and Clay, one of his bitterest opponents, urged Grundy to return to the Senate.<sup>18</sup> This may be interpreted as recognition of his ability and diplomacy.

### JACKSON'S POLICY OF POLITICAL APPOINTMENTS

Whenever an attack was made against Jackson, Grundy let no chance escape him to defend the President. The endless chain of criticisms which came out of Jackson's removals created notable controversy in the Senate. Probably the first time such a flagrant use of the power of removal had ever been exercised, yet it was entirely legitimate, according to Grundy's contentions. Grundy openly insisted while debating Foote's Resolution that the President acted entirely within his constitutional rights when he exercised this power, and that the Senate had no constitutional authority to examine into and judge the propriety of his removals from office. He confined the Senate's power to questioning the fitness and unfitness of the persons nominated to succeed, nor did he mince his words in discussing this question. Grundy said that, "In examining who possesses the power of appointment and removal under the Constitution, we find in the second Article, second Section, that it is vested in the Executive, but he must have the consent of the Senate upon all his nominations. So soon as an executive officer is appointed, he is placed under the immediate inspection and control of the President, who becomes intimately acquainted with his qualifications."<sup>19</sup> Grundy not only depended on the present conditions and circumstances of the case, but he reverted to the older administrations of Washington, Jefferson, and Madison,<sup>20</sup>

<sup>16</sup>Finis J. Garrett, United States Court of Customs, noted in a letter to me that Grundy was the first Tennessee Senator to die while holding office.

<sup>17</sup>In a newspaper clipping, without date or name of newspaper, was a letter dated December, 1839, which was supposed to have been in the Dickinson's scrap-book. This newspaper article was found in the scrap-book of Mrs. Whitefoord R. Cole.

<sup>18</sup>*Ibid.*

<sup>19</sup>*Register in Debates in Congress*, Vol. VI, p. 216. Part I.

<sup>20</sup>*Ibid.*, p. 216.

to establish the point for which he was contending. All these men, he felt, held the same position on this question that he did.<sup>21</sup>

During these years of partisan warfare, many changes took place in the ranks of the Democratic party. The opposition, to strengthen their position against Jackson, formed new political alignments. Men of the administration were busy meeting the issues. Grundy, and his colleagues realized that all of these moves were merely political onslaughts and it was in this light that he considered the attack on the system which its enemies and history designated as the "spoils system." There had been removals by presidents as early as 1789, but those had not been challenged until now.<sup>22</sup> This will be more fully discussed in connection with the removal of deposits, and post office investigation.

#### A GO-BETWEEN IN THE JACKSON-CALHOUN CONTROVERSY

Not always was Senator Grundy on the defensive, for he took the part of a go-between in the Seminole affair which resulted in the final break of Jackson with Calhoun. Upon the President's learning that the Vice-President had been the one who had made the attack upon his conduct in Florida, instead of Crawford, it was certain that Jackson would do all within his power to defeat Calhoun's chances for being the next presidential candidate. Grundy at the time this trouble first arose enjoyed the friendship of both Jackson and the Vice-President. He favored Calhoun,<sup>23</sup> and he directed his endeavors to bring about a reconciliation between the two, to the end that Jackson might throw his influence to Calhoun instead of to Van Buren in the next presidential nomination. Grundy, with Colonel Richard M. Johnson, made an appeal to F. P. Blair, editor of *The Globe*, to publish in his paper, comments indicating that Calhoun, neither in fact nor in intention, made an attack on Jackson. This failed, and they next moved to act through John H. Eaton, then Secretary of War. Grundy had an interview with him, and during the conference he told Eaton that he wanted him to inform Jackson of Calhoun's intention to publish the correspondence between the two, and to urge upon the President not to reply,—that being the surest way to avoid controversy. Grundy and Eaton went over the remarks that were to be published,

<sup>21</sup>This view was recently upheld in the case of *Myers v. United States*, *United States Supreme Court Report*, Vol. 272, p. 160.

<sup>22</sup>*Register of Debates in Congress*, Vol. VI, Part I, pp. 217-218.

<sup>23</sup>Meigs, *Life of John C. Calhoun*, Vol. II, p. 408.

and altered all statements calculated to excite resentment. Mr. Eaton, however, did not inform Jackson, for he considered it best not to do so. The next day the publication was made, and the public felt that all the hovering clouds had blown over, but Jackson could not so easily get over an attack made upon him.<sup>24</sup>

Grundy tried to placate both sides. He exerted his influence to bring about peace within the Administration circles. Grundy appeared to favor Calhoun, but this was not to continue long; however, Van Buren asserted that it was, "never entirely obliterated notwithstanding the confidential position in which he was subsequently placed in respect to General Jackson and the enmity that arose between the latter and Mr. Calhoun."<sup>25</sup>

Grundy was a very active and able debater, and on almost every question of importance, which arose, he contributed his political views and opinions. He, like others, however sometimes wandered from the point under discussion, but it is fortunate that he did, for otherwise it would be impossible to determine his position on many other questions. This is particularly shown in regard to slavery. At this time the Abolition movement was beginning, but it had, by no means, reached any great height in 1830, and did not occupy any important part in national politics. The wanderings of the debaters on Foote's Resolution, on public lands, gave Grundy an opportunity to announce his views on the principle of slavery.

### VIEWS ON SLAVERY

His attitude may be compared with that of Lincoln's in that both, with marked similarity, considered slavery as an unfortunate situation, but it was here and the great concern was the method of getting rid of it. Neither were Abolitionists, and Grundy said that to free the negro and to expect him to be happy was a visionary ideal held by people, unacquainted with the real situation. Some people censured the slaveholders, and Grundy pointed out that the assailants were the very ones who advocated strict laws within the boundaries of their own States against the freed negroes that the negroes sought removal to Canada.<sup>26</sup> Grundy did not criticize the States for making these stringent and harsh laws against the former slaves, because he felt they had a

<sup>24</sup>*Van Buren's Autobiography*, pp. 377-382. *The Nashville Republican and State Gazette*, April 12, 1831.

<sup>25</sup>*Van Buren's Autobiography*, p. 382.

<sup>26</sup>*Debates of Congress*, Vol. VI, Part I, p. 205.

sovereign right to provide laws for the State's welfare. The whole affair, to him, was a situation that demanded tactful consideration in order to abolish the institution and still to cause no offense to either party. A letter dated January 18, 1838, when the abolition movement was attaining greater heights every day among the masses, showed Grundy's feelings were still strongly anti-abolition, for he said, "nothing of a general character has been acted upon in Congress, except the adoption of anti-abolition resolutions, which, I hope will have a tendency to discourage the incendiary proceedings of those fanatics who show by their reckless course that they are wholly regardless of consequences; although the destruction of the Union should be produced by the measures they are furnishing. The hatred of these men to Mr. Van Buren is unbounded, merely because he has pledged himself, in his inaugural address to veto any measures which may have a tendency to accomplish their object. This, in their eyes, is an offense not to be pardoned. They know very well he will never abandon the ground he has taken on this subject; he therefore presents an obstacle to their wishes which can only be removed by his prostration. In this, I trust, they will be disappointed, because I verily believe Mr. Van Buren, from his northern position in addition to other reasons, can do more than any other man to put down this dangerous and disorganizing spirit."<sup>27</sup> He was against slavery, for "he was devoted to liberty and the rights of man," but he could not denounce it as a crime. Grundy placed the greater blame upon the eastern states, for it was these states that in the past had engaged in the traffic of bringing them to our shores.<sup>28</sup>

#### FOUR GREAT QUESTIONS

The other questions in which Grundy took an active part, may be tied up with four great topics, to which he devoted much of his time during his term as Senator: with nullification, the relation of State and Federal government, the Tariff, and commercial activities. The assumption of state debts and internal improvements were closely related to the public land question. The removal of deposits and currency were intricately connected with the Bank question. And the removals from office were intimately associated with the Bank question and Post Office Investigation.

<sup>27</sup>*Nashville Banner*, Jan. 18, 1901. (A letter to Mr. Richard M. Woods from Grundy.)

<sup>28</sup>*Debate of Congress*, Vol. VI, Part I, p. 205.

Senator Grundy looked to the human side of all legislation. He was not a materialist; he was more interested in men, than in property. As chairman of a select committee in the Senate, Grundy obtained and succeeded in getting through the Twenty-fifth Congress a bill which bears these characteristics. It was designed to make more secure the lives and property of persons on steam-boats.<sup>29</sup>

As chairman of the Judiciary Committee, he introduced and carried through many bills. The two of most importance were, first, the one which extended the circuit courts to the new states which had not yet enjoyed the advantage of such tribunals. This act gave their laws, institutions, and practices, the consideration in the decisions of the Supreme Court, which could only be obtained by having their own judges on its benches. The second bill, which met strong opposition in Congress, was finally triumphantly carried. It prevented institutions chartered by Congress from issuing notes after their charters had expired. The act intended not only to prevent such abuse of trust for the future but to stop, as it effectively did, the Bank of the United States chartered by Pennsylvania, from flooding the country with irresponsible notes originally made on the face and under the guarantee of an Act of Congress.<sup>30</sup> This bill can be linked up with Grundy's dealings with the Bank, and will be given treatment in connection with it.

#### CHAIRMANSHIP OF COMMITTEES

Grundy, a member of six consecutive Congresses, served for the greater part of the time in the capacity of either Chairman of the Post Office and Post Roads Committee or Chairman of the Judiciary Committee. He was a member of these two powerful standing committees during his Senatorship and in the work of each he took a prominent part, and especially in the former which cost him much effort. Besides these major chairmanships, he occupied a place on a number of select committees which were of great importance in shaping and revising bills to be presented to this body. At both presidential elections, Grundy served on the committee to count the votes, and he was appointed in 1837 from the Senate, to wait on the President with two other members from the Lower House.<sup>31</sup> Election to chairmanships, selection for special committee work, and the special committee for notifying the President officially of

<sup>29</sup>*Congressional Globe*, Vol. VI, p. 8.

<sup>30</sup>*United States Magazine and Democratic Review*, Vol. III, p. 8.

<sup>31</sup>*Congressional Globe*, Vol. IV, p. 1266. *National Intelligencer*, Dec. 5, 1838.

his election are evidences of his prominence, ability, and popularity.

All through his term of service, Grundy was a Jackson man. Intimately connected with the administration, he knew also the general political difficulties that the Whigs were encountering in their efforts to secure the nomination of Clay in 1840. He realized as early as 1838 that Webster and Harrison would probably be considered for nomination, but he felt as sure of Clay's being the next Whig candidate he was of Van Buren's being the Democratic one.<sup>32</sup>

#### POLK'S NOMINATION FOR VICE-PRESIDENT 1840

About the presidential campaign of 1840, Grundy was not so much concerned, but his interests were centered in obtaining for James K. Polk the nomination for Vice-President. All during the year before the calling of the Baltimore Convention, Grundy was busy feeling out sentiment favorable to Polk, and writing to him on the impossibility of his being nominated on the ticket with Van Buren, if a vice-presidential nomination was to be made by the convention. Within the ranks of the Democratic party there existed a difference of opinion in regard to the expediency of holding a party convention. At this time, the convention system had not attained the respect of an institution that was absolutely necessary for the proper functioning of party machinery. Grundy, with others, who were backing Polk, wished to throw the nomination of vice-president into party caucus. They felt sure that he could win here, but otherwise Johnson would be the next running mate with Van Buren. The Tennessee Senator based his opinions of Polk's probable defeat upon the strong leaning to Colonel Richard M. Johnson. Grundy knew that in certain parts of the State of New York votes would be cast in the Democratic party not for Van Buren but for Johnson. With such a feeling prevalent, Grundy wished to discard the convention system for the time being. He thoroughly understood the situation for he realized that the states which would give their votes to Polk in all probability would not send delegates to the convention as they were opposed to it, therefore Polk would be defeated.<sup>33</sup> The fact that Grundy kept himself so well informed was proof that he was a master of politics.

<sup>32</sup>*Nashville Banner*, Jan. 18, 1901. (Letter to Richard M. Wood from Grundy.)

<sup>33</sup>*Manuscript Letters from Grundy to Polk*, Feb. 3, 1840; March 2, 1840; April 15, 1840; June 1, 1840 (see Appendix H, J. K. L.). Phelan, *History of Tennessee*, p. 385; McCormac, *James K. Polk: a Political Biography*, p. 168.

## STATESMAN OR MANEUVERER

Grundy was looked upon by some as a political maneuverer, and by others as an outstanding statesman of his time. Some place him beside Henry Clay in ability, while others consider him as a political trickster who knew the art of cunning management.<sup>34</sup> He, however, retained the friendship of some of his political opponents such as Clay;<sup>35</sup> while others, like White, always disliked him. Their mutual dislike according to Van Buren was due not only to political differences, but because of their personal variances.<sup>36</sup> This can be ascertained by the opposition he took against White, when the latter was presidential candidate in 1836. After Van Buren came into the executive chair, Grundy and White carried on hostilities towards each other until White resigned from the Senate in January, 1840.

Grundy felt his position in the Senate to be one of trust, and he was willing at all times to carry out the wishes of his constituents to the best of his ability. "Commencing as a Republican of the old school he so continued without deviation, and no circumstance, however trying has induced him to waver from his early faith. As a Senator he always felt his place, never did he degrade the elevated body of which he was a member by language that could lower it in public estimation."<sup>37</sup> The Senate, to him, was a place where Liberty ought at all times to prevail. In the *Democratic Review* is found an excerpt of one of his speeches of such a temper, "If the time shall come when the Goddess of Liberty can find no resting place in the Executive mansion; when the spirit of faction shall expell her from the end of the capitol—yet, she will still linger about this chamber unwilling to be gone; and if at last, she shall be compelled to take her final flight, the parting impress of her feet will be found upon the dome which shadows the American Senate."<sup>38</sup>

## CHAPTER II

## THE IMPENDING CRISIS OF 1833

Grundy immediately fell into the spirit of the times, and he at once begun to take part in the proceedings of the Senate. Little did he realize in 1830, while he occupied the floor discussing Foote's Resolution on public land, that he

<sup>34</sup>*Nashville Republican and State Gazette*, July 15, 1833.

<sup>35</sup>*The United States Magazine and Democratic Review*, Vol. III, p. 170.

<sup>36</sup>*Colton's Life and Times of Henry Clay*, Vol. I, p. 170.

<sup>37</sup>*Van Buren's Autobiography*, p. 382.

<sup>38</sup>*The United States Magazine and Democratic Review*, Vol. III, p. 170.



sounded a note that in less than three years was to cause almost a disruption of the Union. The Doctrine of the relation of the State and Federal governments caused grave concern, and on this subject he held more extreme views than on any other question which presented itself to Congress.

The two major political parties were engaged in bitter partisan contest. Parties were growing more party-conscious, but no serious element for the dissolution of the Union had yet arisen—so the Union's safety remained unquestioned. Grundy, who was devoted to the Union, advocated State sovereignty at the same time. The two doctrines did not appear to be in conflict in his mind, but there was on the horizon a distinct though small element of a group who clearly saw the inevitable conflict. In the minds of many and in fact in the minds of most of those who were considering the question there was confusion. Both Jackson and Grundy felt that such questions as the Bank and the relation of State and Federal Government should not be settled in haste nor in partisan heat for they were matters of too great and continuing importance. For this reason Grundy brought up the latter subject at this early date and made an attempt to determine a rule to be applied, should a case arise in the future. It cannot be definitely ascertained whether this can be taken as an indication of Grundy's lack of prescience of what was about to disrupt the country in a few years, or whether the Senator had keen enough foresight to try to ward off trouble between South Carolina and the Union.

The debates in Congress, however, have the records of his public utterances made in the Senate. In 1830 in his first long speech before this body he traced the first organization of government under the Confederation to its consummation under the Federal Constitution; and explained the history and the operation of the transition. Needless to say, this has been written of by many historians, and Grundy's discourse on this particular point can add nothing new to history. Although the Virginia and Kentucky Resolutions had brought the question up some years previously, he was among the first to mention in Congress anything that might be related to the idea of nullification as carried out by South Carolina in 1833.

#### FAVORABLE TO STATE SOVEREIGNTY.

Grundy's argument was somewhat more favorable to State sovereignty in that he emphatically stressed the fact

that powers not delegated to the United States by the Constitution, nor prohibited by it to the State were reserved to the States, respectively, or to the people.<sup>39</sup> To him, such a limitation upon the General Government was a "good old republican doctrine," which he hoped would continue, by which he would endeavor to regulate his conduct. His statements so far had not been threatening, but the remarks in regard to settling disagreement between the Federal and State Government began his stepping on thin ice. And thin ice it proved when Calhoun presented the proclamation of the South Carolina Convention in 1833. Grundy's position in 1830 on this question apparently seemed a side issue since no problem of that nature was before the public. He considered it very impossible for a State or Federal Court to declare a law unconstitutional unless it was very evident. Precedent upheld such a rule of decision and he felt it would continue to do so. Therefore a disagreement between the two governments would not likely occur. He recommended that questions affecting both governments should be settled by the people "through the medium of an elective franchise."<sup>40</sup> He discredited the Supreme Court as being capable of deciding questions relating to both Federal and State government for two reasons. First, it was not an independent branch, but a "portion of a part of one of the parties, created by the legislature and the executive branches of the General Government, and responsible alone to that Government,"<sup>41</sup> and could therefore be led astray by motives the same as any other departments; except the judges would be stronger perhaps because they held office during good behavior. Second, the Supreme Court could not decide upon the sovereign rights of states so as to affect them, for when a State submitted questions to this tribunal it admitted its dependence and inferiority, and when that was done it surrendered its sovereignty and independence. Grundy hoped to avoid judicial usurpation by allowing the people to decide such questions, likely to result in disunion. The use of a popular referendum he said made an appeal to the intelligence and patriotism of the nation.<sup>42</sup>

#### NULLIFICATION

He did not concede that the State Legislature had the power to nullify and make void any act of Congress in so far as to prevent its operation within the State's limits,

<sup>39</sup>*Debates of Congress*, Vol. VI, p. 212.

<sup>40</sup>*Debates of Congress*, Vol. VI, p. 213.

<sup>41</sup>*Idem.*

<sup>42</sup>*Debates of Congress*, Vol. VI, p. 213.

for this legislative body had not received and adopted the Federal Constitution but the people of the several states had ratified it. When a difficult situation arose, Grundy advocated that the State call a convention and let it be decided here if the General Government had overstepped its powers, and what ties bound the State to the other States. Following this course on through and ever approaching nearer the dangerous doctrine, Grundy maintained that if a negative decision should be given, the act would be nullified by the State adopting the resolution Congress must acquiesce and would have no right to use force, otherwise the Convention would be useless. Grundy did not have any apprehension that the Union would be threatened by giving the States this right, but considered all such fears as originating in a "supposition that Congress possessed an independent and uncontrollable power which was unknown to our system."<sup>43</sup> It is apparent that he did not feel he was treading on unsound ground for he contended that under the convention theory a break between the two governments was impossible, if the State acted in its sovereign capacity.

Grundy's sentiments, typically western in character, found a place in his vigorous defence of the State rights principle. He sincerely believed he was suggesting a rule both practical and sane, for he said, "It cannot be considered unreasonable that a State, which has declared, in the most solemn manner, its reserved right to have been violated, should not possess the power of compelling the General Government to make an appeal to the source from which all its powers are derived. It was called into existence by three-fourths of the States, and experience no power, without usurpation, which has not been granted. What can be more rational? What more consistent with the spirit of our system, than where there is a conflict between a sovereign State (a party to the compact) and the General Government as to the powers which have been yielded to the latter, that it should be compelled to decide the question by an appeal to the source of all of its powers? I do not hesitate to say, that the power on the part of the States compel such an appeal is indispensable to the existence of their sovereignty, and to the preservation of their reserved rights. Without it, the General Government, in its practical operation would be unlimited, consolidated Government, notwithstanding the limitation imposed by the provision of the Constitution."<sup>44</sup>

<sup>43</sup>*Debates of Congress*, Vol. VI, p. 214.

<sup>44</sup>*Debates of Congress*, Vol. VI, p. 214.

## GRUNDY CRITICIZED

The criticisms Grundy received for his utterances were immediate and stinging, but he did not modify any of his statements until 1833. The *National Gazette and Literary Register*, a few days after his speech in Congress, made the comment that Grundy's theory nullified the Federal Constitution itself and virtually placed the Federal compact of the National Government at the mercy of each of the States. "General Hayne and Mr. Grundy treat the States as exterior to the General Government."<sup>45</sup> On all sides assailants attacked him. They were men devoted to the Union, and saw the inevitable destruction of it, if the Convention of a single State was allowed such far-reaching powers. The preservation of a unified Government was impossible, if one State could nullify a law that was particularly unfavorable to it, and another could do the same with other acts of Congress. Grundy overlooked this in 1830, but in 1833 he had completely changed sides. He tried, however, to sidestep the charge by reading into his doctrine of Federal and State powers a meaning that was possible but very obscure.<sup>46</sup>

A great many, no doubt, praised and welcomed this rule, which the Tennessean had drawn up into a definite form. It furnished a way to relieve a State Government from enforcing a law if a Convention could be obtained to say the desired word, *unconstitutional*, in relation to the disliked act.

While Grundy was formulating his doctrine, the tariff in the South and West was becoming more unpopular. To them the tariff laws seemed unjust and oppressive. With such a feeling prevalent in these sections, this economic question would probably furnish material for consideration to the nullifying conventions. Grundy, however, in 1830, must have hoped for a readjustment of the tariff measure of 1828 in order to avoid dissension of the several States with the General Government, otherwise he would not have made such utterances. He felt that the name "abomination" assigned the tariff law of that year was well bestowed, and he gave his support in the Upper House to reduce the import duties to a revenue basis.

## THE TARIFF BECOMES AN ABSORBING ISSUE

With the beginning of the year 1832, the tariff became one of the questions that demanded much of the attention of the Senators. Clay, the author of the "American Sys-

<sup>45</sup>*National Gazette and Literary Register*, March 6, 1833.

<sup>46</sup>*Nashville Republican and State Gazette*, July 12, 1833.

tem," introduced into the Upper House on January 9, 1832, a bill abolishing all existing duties upon articles imported from foreign countries and which did not come into competition with similar articles made or produced in the United States with the exception of wines and silks and they were to be reduced.<sup>47</sup> The advocates of the bill debated with those who opposed the measure, but Grundy did not present his arguments against Clay's resolution until the next month.

He was anxious to settle the question as soon as possible, because it was constantly bobbing up. As a relief for consumers and manufacturers, Congress should arrive at some definite and permanent conclusion about the tariff duties in order that the industries could be adjusted to the tax. He, however, favored a downward provision as the definite outcome.

Grundy was a representative of that school which stood for tariff for revenue only, for in answer to various arguments that taxes on protected articles should not be reduced, he would always reply, that every man who had thus invested his money must have considered the probability of a change in taxes on imports whenever the public debt should be discharged, and since the Government no longer needed the money accruing from high duties the only thing to do was to lower the tariff.<sup>48</sup> Grundy would not, under any circumstances, grant that the manufacturers had a claim for the continuance of the tariff based upon any pledge from the Government, however, he stood for a gradual reduction rather than an immediate one in order not to injure them.

### HIS "BALANCE OF TRADE" THEORY

The Tennessean was a political economist of no mean ability, and the people early understood his reasoning of how a lower tariff would encourage commercial activity. Grundy had the gift of making himself and his opinions clearly comprehended, and in his endeavor to prove what was generally termed an unfavorable balance of trade as being favorable he used a common but convincing argument. He said: "Suppose a citizen of Kentucky should take his drove of horses, costing at home two thousand dollars, to the State of Alabama, and there exchange them for cotton worth three thousand dollars, after paying all expenses, and shall return to Kentucky, bringing with him his three thousand dollars worth of cotton. According to this balance of trade doctrine, Kentucky has lost a thousand dollars, when

<sup>47</sup>*Debates of Congress*, Vol VIII, Part I, p. 393.

<sup>48</sup>*Debates of Congress*, Vol. VIII, Part I, p. 394.

in fact she has gained precisely that amount. Nor has Alabama lost anything, for the horses may be worth in Alabama one half more than they are in Kentucky."<sup>49</sup> He applied this basic theory as the true one that operated between the United States and other nations. He calculated that if exportation equalled seventy million dollars and importation, ninety million, there would be a gain of twenty million dollars with the deduction of the whole cost of carriage and interchange.<sup>50</sup> With this principle inaugurated, he entertained no doubt that the United States could not lose by importing large quantities of cheaper goods than could be manufactured there and exporting little. He felt assured that the country would become enriched by carrying on business this way. Grundy must not have thought of richness in terms of actual gold currency, but based one's wealth on the usable value of the goods that the people of the country had in its possession.

This kind of balance of trade, of course, would result in letting down the tariff walls, so as to make it possible for foreigners to send their commodities into the United States. This was only one of his logical deductions, for he further contended that the consumer carried the real burden of taxation and that the western people were taxed even more than the people residing near to the ports of entry, because transportation costs aggravated the final cost to greater heights.<sup>51</sup> This position amounted almost to a axiom. Grundy did not agree with the tariff men on any point except that of the constitutionality of the tariff laws. He believed that the Constitution vested the National Government with this power for the purpose of paying its obligations. Accepting this, however, Grundy added that Congress might abuse this power. Aside from this point, he felt that the advocates of tariff intimidated the interests of his sections to those of the East. By high tariff the prosperity in the West was checked, as the cotton farmers, corn growers, and stock raisers were compelled to give more for an article than it would otherwise have cost them. He applied this also to the South.

#### HIGH TARIFF AND THE WEST

By the year 1832, complaints from these two sections had become so loud that they threatened to be dangerous. He understood perfectly their viewpoint, for he lived and worked among them. He realized that the farmers in these

<sup>49</sup>*Debates of Congress*, Vol. VIII, Part I, p. 398.

<sup>50</sup>*Idem.*

<sup>51</sup>*Debates of Congress*, Vol. VIII, Part I, p. 399.

regions, who furnished two-thirds of the exports of the United States, were forced to sell in the cheapest market and buy in the dearest. Such a situation he could not justify. It was an encroachment upon the rights of the citizens and should not meet any favor in the Senate. The only protection he championed was for the Government to give to labor its whole earnings in all sections alike.<sup>52</sup>

Grundy could not see that any one was benefited, taking the population as a whole. By a protective tariff he admitted that it gave immediate advantages to the capitalists and to those who owned the manufactures and that it afforded a better market to those who lived in the neighborhood, but he held that these benefits were balanced by the increased prices of commodities. This he claimed, caused capitalists and labor alike to forfeit a portion of their earnings to the manufacturers.<sup>53</sup> Grundy was among the first statesmen of America to define the tariff as a local issue, beneficial to separated sections rather than to the nation as a whole.

After Grundy had taken issue with most of the points of the opposition he began to present to the followers of Clay's tariff scheme arguments that they would find difficult to answer. Why could not domestic articles sell as cheaply as imported ones, since the United States had the advantage of nearness to market? The opposition had openly admitted that home manufacturers could make them quite as cheaply as could the foreign competitor. Why could home manufactures compete with foreign articles in foreign countries so successfully and still not be able to do so in the United States? If they could not answer these questions logically, and he believed that they could not without contradicting a previous position that they were at this time supporting, he could only conclude that the retention of the tariff was to "enable the domestic manufacturers to keep out of our markets, the foreign articles which might compete with theirs, and thereby enable them to secure a monopoly, and place a higher price upon the domestic manufacturers."<sup>54</sup>

#### OPPOSED CLAY'S TARIFF IDEAS

Tariff as a general topic has been debated back and forth, and at the present practically no new arguments can be advanced on this subject, but during 1830 and 1833, it reached fever heat that has probably never been exceeded. The country was divided economically into two sections on

<sup>52</sup>*Debates of Congress*, Vol. VIII, Part I, pp. 402-403.

<sup>53</sup>*Debates of Congress*, Vol. VIII, Part I, pp. 402-403.

<sup>54</sup>*Debates of Congress*, Vol. VIII, Part I, p. 405.

this question, East vs. West and South, and a Southern state threatened nullification. Grundy's conclusion, as the more conservative men believed, was to lower the tariff, but not as Clay's measure recommended. Grundy wanted to put a tax not on necessities but on luxuries which the well-to-do consumed.<sup>55</sup> He considered Mr. Clay's tariff a mere sham for reduction that doubly enriched the capitalist. It took duties off where they should remain and left them on the articles that the poor man needed. He denounced this bill in unrelenting terms: "I will not unite in holding out to the poor man the delusive hope, that he is able to clothe his family in silks, and regale himself on wine every day; while all the articles of dress he purchases, his salt, his sugar, his plow, his axe, and his hoe, and all other utensils with which he earns his daily bread, are so taxed as to render him unable to raise his family. No, sir, give him his necessities untaxed, or taxed lightly; let his labor have its full reward, and he will then increase his means, and in time be enabled to indulge in luxuries, if he shall please to do so."<sup>56</sup>

Grundy was a constructive statesman, for he suggested the following plan to settle the tariff question which he considered a fair and workable basis. His purpose was to ascertain what articles could be manufactured in this country successfully; then to find out the price of similar articles in foreign countries, and add to that price the cost of transportation to our seaport towns. An additional tax, by way of a duty, would further equalize the price of the two articles (of same kind and quality); and the home market could now compete on a par with the foreign. He felt that a vitalizing competition and lower prices must necessarily follow the adoption of his scheme. It was his opinion that any higher assessment fostered the growth of monopolies in favor of domestic manufactures, and were therein an injustice to the community. He would abolish the credit system in import revenues and give to the manufacturers ample protection; without the creation of a monopoly they would thus enjoy advantages which would enable them to carry on a successful competition with the articles of foreign production.<sup>57</sup>

At the conclusion of Grundy's speech, Mr. Ewing of Ohio rose to challenge the Tennessee Senator's argument on several points. The two Senators on almost every occasion had opposed one another and, of course, it was not unexpected that Ewing was advocating the Eastern inter-

<sup>55</sup>Taussig, *State Papers and Speeches*. Robert Walker's Report, pp. 214-251. His opinions are very similar to Grundy's in this respect.

<sup>56</sup>*Debates of Congress*, Vol. VIII, Part I, p. 406.

<sup>57</sup>*Debates of Congress*, Vol. VIII, Part I, p. 408.



ests. He denied the statement which Grundy made to the effect that the tariff enriched New England, and further asserted that New England had not voted for it. One Senator followed another and Clay's bill remained before the Senate until March 22, 1832, when it was sent to the Committee on Manufactures. Eight days later the Committee reported it with amendments and resolutions attached. Debate on their report was cut short, however, by Grundy's motion to lay it on the table and for it to remain there for a reasonable time so the committee might make a further report. On May 1, 1832, the bill based on Clay's was read a second time. The measure proposed to regulate duties on imports. In this form Grundy supported the measure, but before it had reached its final form in the Senate he refused to vote for a bill which had lost all of its moderate features and which had added the more extreme characteristic to which he was violently opposed. He considered it really not much better than the "Tariff of Abominations."<sup>58</sup> When the bill finally passed, July 14, 1832, Grundy's name was among those who cast a negative vote.

#### SOUTH CAROLINA'S NULLIFICATION

With Grundy's rule a Federal and States Rights set up into a tangible form, with no particular relief from high tariff duties, South Carolina's threats became a reality on December 10, 1832, when Calhoun presented the Proclamation passed by a State Convention. On January 22, 1833, the South Carolina Senator placed South Carolina's Resolutions before the United States Senate. If this chamber adopted them, South Carolina's right to secede from the Union would be given favorable recognition and the double allegiance theory would be trampled in the dust.<sup>59</sup> This was not to occur, for leaders in the Administration and men, who were opposed to Jackson, joined hands when this crisis presented itself, and became the followers of Jackson's slogan, "The Union—it must be preserved" Grundy was among the first to make a move in the Upper House to preserve the Union, even though he had been accused of furnishing South Carolina with the idea of a nullifying convention.<sup>60</sup> The next day he presented six resolutions as substitutes for Calhoun's. They denied the right of nullification by declaring: 1. that by the Constitution of the United States, certain powers were delegated to the Gen-

<sup>58</sup>*Benton's Abridgement of the Debates of Congress*, Vol. XI, pp. 398, 510.

<sup>59</sup>*Debates of Congress*, Vol. IX, Part I, p. 673.

<sup>60</sup>*Debates of Congress*, Vol. XI, Part I, p. 670. *National Republican and State Gazette*, July 12, 1833.

eral Government, and those not delegated nor prohibited to the States were reserved to the States respectively or to the people; 2. that one of the powers expressly granted by the Constitution to the General Government and prohibited to the States, was that of laying duties on imports; 3. that the power to lay imports had been transferred from the States' government to the General Government without any reservation left to the States to regulate imports; 4. that the tariff laws of 1828 and 1832 were constitutional as Congress had been vested with this power in spite of the various opinions that might exist as to their policy and justice; 5. that any attempt by a State to annul an act of Congress passed upon any subject that had been confided by the Constitution to Congress was an encroachment on the rights of the General Government; and 6. that to obstruct or prevent the execution of any acts of Congress, which imposed duties on imports, whether by ordinances of convention or legislative enactments, were not warranted by the Constitution, and were dangerous to the political institution of the country.<sup>61</sup> It was impossible to consider Calhoun's separately with two sets of resolutions before the Senate and both contradictory to one another. The South Carolina Senator requested Grundy to withdraw his, but the Tennessean refused. He said that he did not intend to do an act of injustice, but he had, in offering the resolution, presented his views which differed from Calhoun. By Grundy's holding out, and declining to withdraw, Calhoun's resolutions were forced to be placed on the table.<sup>62</sup>

The Judiciary Committee, of which Senator Grundy was a member, having returned the Proclamation of South Carolina to the Senate now reported a bill providing for the collection of imports. As soon as the bill was read, Grundy made known that he desired to get the measure through immediately in order to met, if necessary, South Carolina's threats which became effective February 1, 1833.

### THE FORCE BILL

Grundy assumed the lead on the floor of the Upper House for the administration during the preliminaries to the passage of the Force Bill.<sup>63</sup> By supporting it and denouncing nullification, he had apparently reversed his stand completely. The Tennessee Senator tried to justify his position in 1830 as not being contradictory to the opinions that he

<sup>61</sup>*Debates of Congress*, Vol. IX, Part I, p. 785.

<sup>62</sup>*Debates of Congress*, Vol. IX, Part I, p. 786.

<sup>63</sup>*Curtis' Life of Webster*, p. 441. Bowers, *Party Battles of the Jackson Period*, p. 271.

held in 1833. He said that he still believed that the States in Convention constituted the proper ultimate constitutional tribunal. In 1830, he had opposed the doctrine advocated by Webster, and also disagreed with Senator Kaynes who insisted that the Legislature of a State possessed the power to annul an act of Congress, which it deemed unconstitutional. Grundy entertained the opinion which had been expressed by Jefferson, that a Convention in a State was a safer body to act in a controversy with the General Government than a State Legislature. Grundy knew in 1830, that a convention could not be called without the concurrence of two-thirds of the members of the Assembly, which could not in all probability be procured at all and for that reason he discounted the idea of the Legislature acting on such subjects, and suggested the idea of a Convention. This was done, not only because a convention would be a better deliberative body, but with a view to interpose obstacles in the way of the progress of nullification. When in that debate he used the expression, "that the acts of Congress must cease to operate in the State, and Congress must acquiesce by abandoning, etc.," he claimed a fair and liberal interpretation would have been that the acts of the State in convention did not make the laws of the United States void, but the steps taken by the State would press Congress so strongly that it would abandon the offensive exercise, or obtain a new grant of power. By force, the meaning he implied was that Congress should interpose its authority, and direct the Executive not to proceed in the execution of the law until the controversy was settled.<sup>64</sup>

For this vindication of himself, Grundy received harsh criticisms. His assailants accused him of changing his position on this doctrine because of fear of losing the Senatorial race in 1833. They would not accept his interpretation, but considered it flimsy and empty of soundness.<sup>65</sup>

In spite of the attack made against him, Grundy continued his fight on nullification and he exerted every effort to bring defeat upon the heads of its followers. Chosen by the Judiciary Committee to make the last speech of the defense, his argument may be summed up in a few of his most significant statements. First, he said, the Force Bill "was a specific measure whose object was to prevent any mischievous collisions, to prevent strife to the dismemberment of the Union."<sup>66</sup> Second, "it was in behalf of the Union."<sup>67</sup> The first two reasons do not need any explana-

<sup>64</sup>*Debates of Congress*, Vol. IV, Part I, p. 670.

<sup>65</sup>*Van Buren's Autobiography*, p. 382; *National Republican and State Gazette*, July 12, 1833.

<sup>66</sup>*Debates of Congress*, Vol. IX, Part I, p. 239.

<sup>67</sup>*Ibid.*, p. 240.

tion, but the third had a deeper meaning. Grundy considered the replevin acts and the South Carolina courts, which no longer rendered just and impartial decisions, as evidences of the General Government being legislated out of the State, and under such circumstances demanded an act "strictly defensive, never to be used except to repel force actually engaged in opposition to the laws of the Union."<sup>68</sup>

The final vote of thirty-two to one was taken soon after Grundy had closed his defensive speech with much eloquence, and the bill now became a law on February 20, 1833.

### THE MAIN ADMINISTRATION MAN

It was very evident that something was brewing, for Calhoun had not cast the one negative vote. Why he had not voted against the bill can be answered by saying that a compromise tariff measure was being formed by the parties concerned in bringing about peace. Clay had been for the preservation of the Union and high tariff, Calhoun was for lower tariff, and Grundy favored the Union and lower tariff. The Tennessean had certainly been the main administrative man in pushing the Force Bill through, and a letter from Jackson to Grundy furnishes evidence that he exerted all his energies to alleviate the anxiety that the General Government was experiencing.<sup>69</sup> Grundy now focused all his attention to a lower tariff.

The stage was set for such a bill to be introduced before the Force Bill had passed. Clay, always one of the most prominent tariff men, placed before the Senate a bill on February 13, 1832. Grundy and others had consistently opposed the latter. Now because all arrangement had not been completed, Grundy moved to send its successor to a committee of seven men, selected from the different parts of the Union, which made it possible for an agreement to be reached behind closed doors. This would not have been likely to occur if it had been thrown into an open discussion of the Senate.<sup>70</sup> The consent of Calhoun and Clay once gained, compromise advanced a step. Webster, consistent to the Hamiltonian doctrine, in a letter written to Nathan Appleton, February, 1833, the day after Clay presented his bill, indicated that he was dubious of a compromise and was bitterly opposed to reduction. "The committee has met upon the bill three or four times, but as yet has agreed upon nothing. At our last meeting, he (Mr. Clay) seemed

<sup>68</sup>*Debates of Congress*, Vol. IX, Part I, p. 663.

<sup>69</sup>*Niles' Register*, Vol. XLIV, p. 383; Basset, J. S., *Correspondence of Andrew Jackson*, Vol. V, p. 37.

<sup>70</sup>*Debates of Congress* Vol. IX, Part I, p. 485; *Oration by John M. Bright on Felix Grundy*, p. 23.

to me to be half sick of his own measure. I meet it in committee with unrelenting hostility, so does Mr. Dallas. Mr. Grundy would gladly mend it, and turn it into an administration measure. Mr. Calhoun, of course, likes it as it is; and Mr. King will also agree to it, in its original shape. Mr. Clayton though quite disposed I think, to go with Mr. Clay, will not agree to it as it is. If Mr. Clay himself is satisfied, he can report it as it is, since Mr. Grundy will vote for it, if it cannot be amended—I think it is quite as likely as anything that it will be reported with amendments by the vote of Clay, Calhoun, Grundy, and King. There is no chance of getting it through the Senate unamended, nor probably in any shape.<sup>71</sup> Clay's voting with Calhoun and Grundy was evidence that a compromise would be effected.

Webster's prediction failed in part, for the bill passed on March 2, 1833, by a majority of thirteen votes. It was, however, amended so as to levy duties based on the valuation at the port of importation. It is useless to go into the bill as passed, for it has been given in detail by many. Grundy did not take any great part in the floor debate, but he served on his select committee and no doubt he had as much to do with the shaping of the compromise tariff as anyone of the other six men.

Since South Carolina was satisfied now, and the threat of secession no longer disturbed the country, the administration turned its attention to another one of its problems.

*Nashville, Tenn.*

[to be continued]

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<sup>71</sup>*Letters of Daniel Webster*, edited by Van Tyne, p. 180.

# GOVERNOR ROBERT L. TAYLOR AND THE BLAIR EDUCATIONAL BILL IN TENNESSEE\*

BY DAN M. ROBISON

On the night of February 27, 1887, a group of Cumberland University students assembled, and, after indignant speeches, burned the effigy of Governor Robert L. Taylor.<sup>1</sup> Such a demonstration against the genial author of *The Fiddle and the Bow* arrests our attention and excites our curiosity.

The cause of the outburst seems inoffensive enough, a single sentence in the Governor's message to the Legislature delivered some two weeks before. The sentence read:

"My sense of duty to the children of the State compels me to say that if there is a surplus of money in the National Treasury, not applicable to the payment of the public debt, the appropriation of the same for this purpose (educational), stripped of the conditions of Federal supervision, would be an inestimable blessing to them."<sup>2</sup>

The violent action at Lebanon was no accident. It was but a youthful expression of the bitterness aroused in Tennessee by this sentence. The Governor had expressed his attitude on the Blair educational bill, an important issue in his campaign the year before. This bill had also been an issue in every congressional election as well as an important factor in the choice of members of the Legislature, who were to select a United States Senator.<sup>3</sup>

The Blair bill has rested, all but forgotten, in Congressional and Legislative records and musty newspaper files of the middle Eighties. Only Mr. Oberholtzer, among the general historians of the period and in his volume just off the press, has discussed the measure at any length.<sup>4</sup> But in its time the bill was a living, vital thing, involving policies of government which challenged the best political

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\*This article is a part of a forthcoming study of Governor Robert L. Taylor (familiarily called "Bob" in Tennessee) and Tennessee politics during the period 1886-1896.

<sup>1</sup>Nashville Union, March 1, 2, 3, 4, 1887.

<sup>2</sup>Senate Journal, Tennessee Legislature of 1887, p. 300.

<sup>3</sup>Nashville American, Feb. 13, 1887.

<sup>4</sup>Oberholtzer, Ellis Paxson: *A History of the United States Since the Civil War*, Vol. IV, New York, The Macmillan Company, 1931 (October), p. 318 and pp. 560-563. Mr. Oberholtzer discusses the bill almost entirely from the standpoint of social legislation and regards it as a part of the general movement to improve education in the South. Only indirectly does he mention its political significance and does not connect it with the tariff. The present study, made before Mr. Oberholtzer's volume appeared, recognizes his point of view, but considers the bill's relation to tariff protection and the consequent political implications as of much greater importance.

thought to conflict. At intervals over a period of six years it aroused the United States Senate to spirited debate on constitutional questions of State sovereignty and Congressional power of appropriation. Its expediency occasioned exhaustive discussion of public education, particularly that in the South among whites and blacks. The debates covered the subjects of Federal aid and Federal control over State institutions. Introduced for the first time was the principle of matching Federal dollars with State appropriation, so generally accepted today. Men of the North warned Southerners of the danger of Federal interference in State affairs, pointing to Reconstruction in the South as the logical result of such a policy. In the face of such warning Southern Democrats supported a measure sponsored by a New England Republican, involving Federal direction in State educational systems. Inseparably connected with this bill and its discussions was the subject of protective tariff. Many Southern Democrats, by their support of this measure, gave indirect aid to the protectionists.

Possibly nowhere did the Blair bill arouse greater reactions than in Tennessee. None of its phases were overlooked in the heated discussions which took place in this State. Editors and orators argued the questions of constitutionality, the advantages of Federal aid and the dangers of Federal interference. The bill's relation to tariff protection was fully understood and the alignment reveals the strength of protectionist sentiment among Democrats of Tennessee. As stated before, the bill became an issue in contests for Governor and Senator while candidates for Congress and State Legislature were forced to declare themselves.

As a matter of fact, the Blair bill fight in Tennessee represented a contest for supremacy between two very divergent schools of thought in the State's Democracy. On the one side were the extreme State's-rights, low-tariff Democrats of the Calhoun school. They were led by Senator Isham G. Harris and were called "Bourbons" and "the machine crowd" by their opponents. On the other extreme were Democrats who claimed to be of the New South which they hoped to construct along industrial lines. To accomplish this, they were ready to espouse the ideas of the Republican North. In their political attitude one detects the influence of the powerful Whig groups of Middle and West Tennessee whom Reconstruction had driven into the Democratic party and whom the race question had kept there. The leader of the industrialists was Col. A. S. Colyar, news-

paper publisher of Nashville. The Colonel and his supporters were "Mugwumps" to their opponents.

These two groups had fought for supremacy in the Tennessee Democracy since its return to power in 1870. Their differences on the State debt had split the party and had allowed the election of Alvin Hawkins, a Republican, as Governor in 1880. There was danger that the Blair bill would again split the party. At this time Bob Taylor came upon the scene. He was of neither faction and was supported by neither for the gubernatorial nomination in 1886. He represented, in the opinion of the writer, a distinct group of Tennessee Democrats, a group which had formed the shock troops of Andrew Jackson, had later found Andrew Johnson its spokesman, and which had been without a leader since Johnson's death. In spite of all that he could do, Bob Taylor soon found himself at the center of the Blair bill fight, alternately praised and abused by the Harris and Colyar factions.

It is the purpose of this study to sketch briefly the Blair bill fight in the United States Senate with the idea of understanding its significance from national and sectional points of view. Alignments of the various groups in the Senate will be presented with a short summary of the arguments of each. The fight in Tennessee will be taken up in greater detail. The various major moves of the bill's friends and foes will be noted with an attempt to understand the character of the two groups. Special attention will be given to Bob Taylor's actions and views for, after all, it was he who determined the course and the final results of the struggle in this State.

#### IN THE SENATE

During the Seventies and Eighties of the last century the United States government was troubled with an excess of revenue. The huge surplus which accumulated in the Treasury greatly reduced the amount of money in circulation and, in so doing, threatened serious economic disturbances. Attempts to retire unmatured portions of the national debt proved costly because of premiums on government bonds in the open market.

Republicans were extremely embarrassed by this situation due to the increased demands that the tariff be lowered enough to cut down the constantly mounting surplus. To avoid doing this they resorted to various methods of spending the surplus and reducing the national income. In 1883 they lowered internal taxes, but the results were inadequate. Next, they advocated increased expenditures on



pensions, rivers, and harbors but Democratic control of the Lower House and, later, Grover Cleveland's ready use of the veto checked their moves in this direction.

It was under such circumstances that Senator Blair of New Hampshire, Republican Chairman of the Committee on Education and Labor, introduced his famous bill "to aid in the establishment and temporary support of common schools."<sup>5</sup> It was presented on December 3, 1883, in the opening days of the long term, and its importance as a party measure gained it an early hearing in the Senate. While most bills lingered in Committee this one was made the chief order of business, was debated for three weeks, and came to a vote in early April, 1884.

In the main the bill provided for the annual distribution of certain sums to States and Territories in proportion to their illiterates over ten years of age, as determined by the Secretary of the Interior. It required that certain subjects be taught and that there be no race discrimination. In deference to the South, separate schools for the races were not considered as discrimination so long as funds were distributed equitably. Another important condition, and here is the first appearance of the now well-known principle of matching Federal dollars, the States must appropriate sums for education in certain specified proportions to funds received. Finally, Governors of States were to report annually to the Federal government on how distributed funds were spent and whether there had been any race discrimination.

Though the Blair bill was a Republican measure, in line with that party's policy of spending the surplus to save the tariff, not all Republicans favored it and many of its strongest supporters were Southern Democrats. In their national platforms of 1884 and 1888 the Republicans endorsed the principle of Federal aid to education<sup>6</sup> while the Democrats, due to division within the party, adopted planks that were extremely ambiguous.<sup>7</sup> The Democrats condemned excessive taxation and extravagant appropriations but they did not mention the subject of Federal aid. The planks were

<sup>5</sup>*Congressional Record*, Vol. 15, pp. 36, 758, 2724.—S. 398.

<sup>6</sup>Porter, Kirk H., *National Party Platforms*, New York, The Macmillan Company, 1924, pp. 133-134 and p. 150.

<sup>7</sup>Due to the importance of wording in Democratic platforms, they are given in full. That of 1884 declared: "We are opposed to all propositions which upon any pretext would convert the General Government into a machine for collecting taxes to be distributed to the states or the citizens thereof." Porter, *op. cit.*, p. 121. That of 1888 read: "The money now lying idle in the Federal Treasury resulting from superfluous taxation amounts to more than \$125,000,000 and the surplus collected is now reaching the sum of more than \$60,000,000 annually. Debauched by this immense temptation, the remedy of the Republican party is to meet and exhaust by extravagant appropriations and expenses, whether constitutional or not, the accumulation of extravagant taxation. The Democratic remedy is to enforce frugality in public expense and to abolish all needless taxation." Porter, *op. cit.*, p. 143.

results of necessary compromise. This fact must be kept in mind when considering the arguments and votes in the Senate and must be constantly remembered while studying the fight in Tennessee.

In defending the constitutionality of the bill Southern Democrats did yeoman service and none more brilliantly than Senator Howell E. Jackson of Tennessee,<sup>8</sup> who quoted Jefferson, Madison, Monroe and Jackson to sustain his points. Other Democrats proved by these same patriarchs of the party that it was in violation of the Constitution. It is significant that Andrew Jackson's veto message on the Maysville road bill was used with telling effect by both sides.

Arguments on the expediency of the Blair bill are most interesting. In the main, they centered around a few important questions, a summary of which is now in order.

Senator Blair, Chairman of the Committee sponsoring the bill, was the Republican spokesman. In an able speech, filled with a huge number of statistics, he set forth the needs of Federal aid to education. His discussion centered around the themes that education was a guarantee of intelligent use of the ballot and that ignorance was a national menace, whether it be in one section of the country or another. He summed up his idea in these words:

"Considering that a majority of one in Florida or Oregon may decide the most important of national elections and determine the future history of the whole country, I for one find it impossible to sleep over this volcano."

He stated that 16% of the country's potential voters were illiterate and that nearly one-third of the legal school population was not then attending school anywhere. He held that it was the nation's obligation and necessity to educate all its children regardless of State boundaries.<sup>9</sup>

Since the bill provided that illiteracy was to be the basis of distribution, it was evident that the South would get the lion's share of the money, and soon the arguments revolved around that fact. The view of the bill's Northern supporters on this point was summed up as follows:

"An appropriation for education in the Southern States is not a gift of charity; it is a payment of a debt due by justice. The nation shares in the responsibility for slavery. It is wholly responsible for emancipation and enfranchisement. If the South had enfranchised the blacks, we might leave the South to educate them; but in putting the ballot in one hand we obliged ourselves to put the school-book into the other."<sup>10</sup>

<sup>8</sup>*Congressional Record*, Vol. 17, pp. 1468-1485.

<sup>9</sup>*Congressional Record*, Vol. 15, pp. 1999-2032.

<sup>10</sup>*Christian Union*, quoted in *N. Y. Nation*, Feb. 18, 1886, Vol. 42, p. 142. For similar views, see *Boston Herald*, quoted in *N. Y. Nation*, Feb. 11, 1886, Vol. 42, p. 121.

Such liberal sentiments would not have been surprising had they come solely from idealists and educational enthusiasts but coming from very practical Republican leaders who, a decade before, had kept troops in the South to subdue and disfranchise it, such a sudden change in attitude must naturally raise a question in one's mind. When the chief proponent of such altruism is one whom Oberholtzer characterizes as "an acrid and supple partisan,"<sup>11</sup> one suspects the proverbial "nigger-in-the-woodpile." The surplus was large but insignificant compared to the benefits of tariff protection. The South received no benefit from the tariff. National aid would be a boon to education in this impoverished region. No protection, no surplus; no surplus, no national aid to education. Gentlemen are sometimes able to understand one another's problems.

Not all Republicans adopted this magnanimous attitude toward their former enemies. Senator Sherman of Ohio frankly admitted that he was unwilling to see "favoritism to the former Rebels." His objections to the bill were shared by others. Briefly, they were:

1. It would distribute over eleven of the fifteen millions to the South.
2. It was unconstitutional to appropriate money for ten years in advance.
3. He feared that the Southern States would not be fair to all citizens.
4. It was unfair to tax the older Northern States for the support of education in other sections.<sup>12</sup>

Others held that the South was not in need of Federal aid. A leading magazine of the East asserted that the rural schools in the South compared favorably with those in the Northern States and denied that illiteracy was increasing in that section. Citations were made from reports of Superintendents of Education in every Southern State to show that attendance in the public schools was increasing each year in a most striking manner. Funds devoted to education in South Carolina had increased nearly a third in the last decade. In Georgia, Alabama and Virginia they had increased 40% and in North Carolina and Florida more than 50% during the same period. Messages of the Governors of Mississippi and South Carolina were quoted to show that a marked progress was being made in those States toward establishing effective public school systems. There was a time, the magazine said, when appeals for Federal aid

<sup>11</sup>Oberholtzer, *op. cit.*, Vol. IV, pp. 560-561.

<sup>12</sup>Congressional Record, Vol. 15, p. 2062.

might have been justified but that time had passed. The South was growing richer.<sup>13</sup>

It was further argued that Federal aid would teach the Southern people to rely upon the National government rather than upon themselves and would thereby hurt education. Two illustrations were cited on this point. The Superintendent of Schools in South Carolina had testified that talk of Federal aid had revived opposition to the common school system. Mr. Woodrow Wilson of Atlanta had listened to the Georgia Legislature discuss a tax for educational purposes. That body hesitated to burden the people unduly so it defeated the tax and, instead, urged the State's Congressmen to support the Blair bill.<sup>14</sup>

The attitude of the Northern Democrats was best expressed by Senator Bayard of Delaware who had been a staunch friend of the South during the dark days of Reconstruction. The devastation of war, he reminded his Southern friends, was small compared to that caused by the intrusion of Federal power in the management of the South's domestic affairs. He was loath to oppose a measure that would render financial aid to that section but having seen the devastating results of Federal interference there, he did not "hesitate to denounce every act of unjustified power by the Executive or by Congress." "The concession of this power," he declared, "must end in the withering of the States and the destruction of their necessary and reserved powers." He showed most clearly the close connection between the Blair bill and tariff protection and warned the South that under the protective tariff system it contributed many times more than it received under the proposed bill. True aid, he maintained, would come from the discontinuance of this tribute paid protected interests.<sup>15</sup>

In the face of Senator Bayard's admonition, a large majority of Southern Senators supported the measure. Senator Jones of Florida expressed the view that it was the duty of the government to help the South educate the five million blacks whom it had made citizens.<sup>16</sup> Senator Wade Hampton of South Carolina stated that the Southern States were devoting every possible cent to their schools but that this was only half enough to meet the educational needs of both races.<sup>17</sup> Senator Pugh of Alabama supported the bill because he believed that false and foolish pride had prevented the South from grabbing its share from the National Treasury while the North, amused at the stupidity of South-

<sup>13</sup>*N. Y. Nation*, March 11, 1886, Vol. 42, p. 208.

<sup>14</sup>*Ibid.*, p. 208.

<sup>15</sup>*Congressional Record*, Vol. 15, pp. 2580-2585.

<sup>16</sup>*Ibid.*, pp. 2145-2153.

<sup>17</sup>*Ibid.*, p. 2381.

erners, had grown rich from a double share of Federal benefits.<sup>18</sup>

A few Southern Senators opposed the measure. Isham G. Harris of Tennessee expressed their viewpoint most forcefully. He contended that aside from the unconstitutionality of the measure, it was objectionable on the following grounds.

1. Protective tariff was the most uneconomical form of taxation since the government received little compared to tributes levied on the people by protected industries.

2. It was the duty and right of every State to educate its own children without interference from other States or from the Federal government.

3. He objected to the idea of matching Federal dollars, for each State knew its own needs and its ability to meet them.

4. Finally, he was unwilling for Tennessee to assume the role of beggar, asking aid from those more fortunate.<sup>19</sup>

The Senate vote on the measure revealed that the Republicans supported it overwhelmingly, Northern Democrats opposed it almost unanimously and that Southern Democrats were divided with 19 supporting the bill and 9 opposing it. The bill passed the Senate by a handsome majority but never reached the floor of the Democratic controlled House. In 1886 and again in 1888 Senator Blair introduced his bill and each time it passed the Senate by practically the same majority. Party divisions remained very much as they had been on the first vote.<sup>20</sup>

In the fall of 1888 the Democrats suffered reverses and the tariff was no longer in danger. Cleveland's veto no longer prevented Republican Congressmen from improving their rivers and harbors. President Harrison was in the White House and Corporal Tanner was in the Pension Office. The Corporal's reported exclamation of "God help the surplus" may or may not be historically correct. But regardless of what the Corporal said, the surplus did cease to be a troublesome question. Concern for Southern illiteracy no longer disturbed our Republican friends and the Blair bill died a natural death.

<sup>18</sup>Senator Pugh said: "The people of the South have listened a long time to such teachings and heeded the cry that it was wrong and dangerous for them to accept Federal aid from a common treasury to which they have contributed more than their just and equal share, and that self-support and self-esteem were invaluable habits that would develop great qualities in the long run. They are waking up and realizing that they have had the long run, but the habits of self-support and self-reliance are not bettering their condition. They see their associates in a common government accepting and appropriating all the aid they can get from constitutional and unconstitutional legislation and exacting tribute by law from every other industry except their own, and while they laugh at the self-denial of the people of the South, they are growing richer and more powerful." *Congressional Record*, Vol. 15, p. 2331.

<sup>19</sup>*Congressional Record*, Vol. 17, p. 1644.

<sup>20</sup>For Senate votes in the three years, see *Congressional Record*, Vol. 15, p. 724; Vol. 17, p. 2105; Vol. 19, p. 1223.

## POLITICAL BACKGROUND IN TENNESSEE

The political complexion of Tennessee was determined by the Civil War and Reconstruction and yet the very processes which established Democratic supremacy in the State created for that party problems of a most interesting nature. Before the war the State had been disputed territory and the Whigs had been particularly strong in areas of Middle and West Tennessee.

The end of the war found the Whigs of these sections in an embarrassing position. Their beliefs in centralized government and protective tariffs inclined them to the new Republican party and Unionists of East Tennessee were soon at home there. Those of Middle and West Tennessee found no such easy solution to their problem. For the most part, they had been loyal to the Southern cause but from political belief and tradition they were bitter enemies of the Democrats.

Reconstruction decided the issue for them. To restore white supremacy they combined with their former enemies as Conservatives and to maintain white supremacy they reluctantly became Democrats but with little change in their old beliefs.

Henry Watterson recognized the strength of Whig sentiment in Tennessee and predicted that the State would lead in the break-up of the Solid South so soon as the Republicans discontinued "bloody shirt" methods and removed the necessity for white solidarity in that region.<sup>21</sup> He asserted that already six important Southern newspapers supported every Republican policy and opposed every Democratic one. He declared that the "king" of this group of journalists was Col. A. S. Colyar of Nashville whom he characterized as "a brilliant, courageous and earnest man—backed by abundant capital of protected industries" and who issued orders to his lieutenants in Alabama, Georgia and Louisiana. It is indicative of the strength of this group in Tennessee that not only did its supposed head live here but that three of the papers referred to by Mr. Watterson were published in Nashville, Memphis and Chattanooga.<sup>22</sup> With the aid of Col. Colyar and his followers, Democratic control of the State was assured. Without it, Republican success seemed

<sup>21</sup>Interview by Mr. Watterson in the *Chicago Tribune*, quoted with comments in the *Nashville Banner*, March 24, 1887, and *Nashville Union*, March 24, 1887.

<sup>22</sup>*Nashville American*, May 20, 1887. According to the *American*, the papers referred to were: *Nashville Union*, *Memphis Avalanche*, *Chattanooga Times*, *Atlanta Constitution*, *Birmingham Age*, *New Orleans Times-Democrat*, and *Mobile Register*. About this time Col. Colyar acquired control of the *Nashville American* and soon thereafter the *Union* was discontinued. See *Nashville American* of May 14 and *Union* of June 2, 1887. Mention must also be made of the *Nashville Banner* which claimed independence with Democratic leanings. It was a strong advocate of protection, the Blair Bill, and other measures favored by the Colyar group.

certain. It is easy to see the strategic value of their position and to understand how they could exert a tremendous influence on the Democracy of Tennessee.

The events which had ended the Whigs as an organization had worked great changes in the Democratic party. Jackson had not hesitated to stamp out nullification and thereby enhance the prestige of the Federal government and later, Polk had led in the expansionist movement of the Union. But the logic of Calhoun together with the long controversy over slavery had developed a new type of Tennessee Democrat. Among them, States Rights had supplanted the nationalism of Jackson and the frontier Democracy and to them came a logical distrust of the National government with a desire to restrict its powers. The Civil War and Reconstruction had confirmed them in this attitude. Isham G. Harris, their leader, was ably assisted by John J. Vertrees, William B. Bate, Duncan Cooper and others.

Forced into the same organization, the Harris and Colyar Democrats had little in common politically save white supremacy. It was inevitable that bitter conflicts should accompany the efforts of such divergent groups to determine policies of party and State. They could not work in harmony and yet a failure to do just that meant Republican success.

It must not be supposed that the old Jacksonian Democracy had disappeared. Its strength had always lain in the rural counties, away from such commercial centers as Nashville, Knoxville and Memphis. Its ranks had been filled by the small farmers who had little in common with either the industrialist or the large planter. This group had inherited the old frontier outlook. Its members were less of theorists and more of opportunists. They welcomed aid from the Federal government but resented interference from that source.

With the passing of Jackson and Polk, the leadership of this group had fallen to Andrew Johnson who, like Jackson, understood them, and spoke their language. Johnson had lost prestige in Middle and West Tennessee during the war but afterwards these small farmers whose sufferings had been great, had begun to wonder whether after all, "Andy" hadn't been "smarter" than the leaders they had followed. It was such support that had sent him to the Senate in 1875. Johnson's death had left these rural Democrats without a leader until, ten years later, they found another spokesman in Bob Taylor. It was during Taylor's rise to leadership that the Blair bill fight became acute in Tennessee.

Though the bill had been acted upon by the United States Senate early in 1884 and had been discussed in certain Tennessee newspapers, it was not an issue in the State campaign that year. Neither party platform mentioned the subject. In the Legislative session of 1885, however, the State Senate, by a vote of 24 to 5, adopted a resolution instructing the Senators and requesting the Representatives at Washington to support the Blair bill.<sup>23</sup> The same resolution, a week later, was lost in the Lower House by one vote.<sup>24</sup> Thus narrowly did Senator Harris escape repudiation by the Legislature of his own State. His leadership was challenged. To those familiar with the Senator's fighting qualities, it is no surprise that the Blair bill soon became an issue in Tennessee politics. It was essentially a fight for party control and prestige between the "Bourbons" of Senator Harris and the "Mugwumps" of Colonel Colyar.<sup>25</sup> This fact must be kept in mind in interpreting Bob Taylor's attitudes and statements on the measure.

#### THE BLAIR BILL IN THE WAR OF ROSES

When the campaign year of 1886 opened the Democratic party in Tennessee was weakened by factional strife, centering around tariff protection, the Blair bill and certain State issues. Conservative party men saw the necessity of harmony,<sup>26</sup> but efforts to reconcile the two groups seemed futile. Interest early centered on the contest for Governor and Bob Taylor's name was soon prominently mentioned for the nomination, though it was apparent that he was not wanted by either faction and was opposed by all the large daily papers of the state. Numerous candidates were suggested by both groups but as rural counties instructed for Taylor, it became evident that only a consolidation of Harris and Colyar forces could prevent his nomination.

At this point it is important to note Bob Taylor's pre-convention views and moves. At the time, he was Pension Agent at Knoxville under President Cleveland.<sup>27</sup> Early in

<sup>23</sup>*Senate Journal*, Tennessee Legislature of 1885, pp. 119, 138, 162, 183.

<sup>24</sup>*House Journal*, Tennessee Legislature of 1885, p. 285.

<sup>25</sup>*Nashville American*, Aug. 31, 1886.

<sup>26</sup>See *Memphis Avalanche* of early 1886.

<sup>27</sup>Bob Taylor's initiation into politics came in 1878, almost immediately after he began the practice of law. He was nominated for Congress by the Democrats of the First Congressional District to oppose Major A. H. Pettibone, veteran Republican leader in an overwhelming Republican district. After a colorful campaign, Taylor was elected. Two years later the tables were turned and Major Pettibone defeated him. Taylor's next appearance in politics was four years later, 1884, when he was candidate for Presidential elector in the first Cleveland campaign. It was in this campaign that he established his state-wide popularity that was to result in his nomination for Governor in 1886. Cleveland appointed Taylor Pension Agent at Knoxville, a position that was considered rather desirable at that time. See—Taylor, J. P., A. A., and H. L. (brothers); *Life and Career of Senator Robert Love Taylor*, Nashville, Bob Taylor Publishing Company, 1913. See also Augsburg, P. D.; *Bob and Alf Taylor*, Morristown, Tenn., Morristown Book Company, 1925.



the year he was asked by certain Democrats to make the race for Governor in the interest of harmony. He replied that he would not refuse to run but that he was not a candidate unless it were determined that he could do more to unite the party than anybody else, saying:

"Our party needs reorganization. We have broken into fragments or rather factions, discordant, belligerent, and the party has been rent with feuds which have threatened its overthrow throughout the State."

Of his own position, he said:

"I am glad that, having spent my time and strength in national politics, I have never been drawn into any of our State factional fights."<sup>28</sup>

This seems to have been the only public utterance of Mr. Taylor previous to his nomination. President Cleveland had ordered that Federal employees refrain from political activities and this Taylor scrupulously obeyed, actually refusing to attend the convention which nominated him.<sup>29</sup> From the time that he was mentioned for the nomination until after the convention, Bob Taylor did not commit himself publicly on the Blair bill. In fact, Republicans had ground for their complaint that he had expressed his views on nothing.<sup>30</sup> He seems to have taken to himself the role of conciliator of rival factions.

The plank adopted by the State Democratic convention dealing with the Blair bill was ambiguous. Declaring it criminal to horde money in the Treasury rather than pay it on "the matured interest-bearing" debt of the country, it demanded that any present or future surplus be applied to the public debt and denounced all unconstitutional appropriations by Congress.<sup>31</sup> Here was a plank that both pro and anti-Blair bill Democrats could and did claim as representing their views. The denunciation of unconstitutional appropriations meant nothing, for the constitutionality of the bill was an important point of dispute which the platform made no attempt to decide. The statement demanding that the surplus be applied to the public debt was also evasive since the "matured interest-bearing" obligations were already being retired and did not enter into the surplus problem. So the factions squabbled over the meaning of a plank that was clearly and of necessity a compromise. In the meantime each side waited impatiently for its interpretation by the young candidate for Governor who had remained discreetly silent on the subject.

<sup>28</sup>*Nashville Banner*, Jan. 11, 1886.

<sup>29</sup>Taylor's telegram, published in *Nashville Banner*, Aug. 11, 1886.

<sup>30</sup>*Knoxville Journal*, Aug. 8, 1886.

<sup>31</sup>*Nashville American*, Aug. 12, 1886.

Some two weeks after his nomination Bob Taylor outlined his views in his letter of acceptance. He did not mention the Blair bill by name but did declare himself in favor of strict economy in expenditures, and application of the surplus to the public debt. He opposed unconstitutional appropriations. In these he simply adhered to his platform. He did declare, however, that he favored Federal aid to education through the sale of the public domain. On this point he was definite and went beyond his platform. On the others he was as subject to varied interpretation as that document was.<sup>32</sup>

Both factions of the party claimed that he had endorsed their views while Independents and Republicans held that he had straddled. The leading organ of the Harris wing called the letter "succinct, concise but clear and unequivocal" and held that Mr. Taylor was too good a Democrat to take any stock in such a scheme as the Blair bill.<sup>33</sup> Col. Colyar's own paper believed that a reasonable construction of the letter would be—"I have not changed my views; I want Federal aid; I prefer that the money be raised by a sale of our immense domain." However, it urged the candidate to make himself clear.<sup>34</sup> A leading Memphis daily, which advocated the Blair bill, maintained that Mr. Taylor had squarely approved the principle of Federal aid and was satisfied for, it claimed, "it is idle nonsense to quibble about the source of the aid." It warned the anti-Blair bill press that it had read into the letter sentiments that were not there.<sup>35</sup>

The State's leading independent paper and a staunch supporter of the bill observed that Mr. Taylor had strained himself for an expression that would antagonize neither of the opposing elements of his party but had made a mess of it.<sup>36</sup> An editor from Lebanon likewise noted the double interpretation given the letter and concluded that "Robert" had dodged the issue.<sup>37</sup>

With the opposing factions of the Democratic party it came to be a case of whistling in the dark, each trying desperately to prove that the candidate supported its view but each was uneasy and wanted a more definite statement. This was all the more desirable since the Republican platform had definitely endorsed the bill and its candidate, realizing his brother's embarrassing position, had evidently determined to make it a leading issue. Their first joint de-

<sup>32</sup>*Nashville American*, Aug. 29, 1886.

<sup>33</sup>*Ibid.*, Sept. 1, 1886.

<sup>34</sup>*Nashville Union*, Sept. 1, 1886.

<sup>35</sup>*Memphis Avalanche*, Aug. 30, Sept. 7, 1886.

<sup>36</sup>*Nashville Banner*, Aug. 30, Sept. 3, 1886.

<sup>37</sup>*Lebanon Herald*, quoted in *Nashville Banner*, Sept. 16, 1886.

bate was scheduled for September 9, and was to open formally the famous War of the Roses. That campaign is now remembered for its picturesque and romantic character but leaders of the two Democratic factions of that day were much more interested in their candidates' pronouncements on the tariff and the Blair bill. At this late day one can almost feel the intense expectation with which they awaited the debate.

"Bob" opened his discussion of the subject with this rather startling statement: "I declare to you that there is not a dollar of surplus money in the Treasury. I declare to you that there is no such thing in existence as the Blair bill." In proof of this he cited a resolution adopted by both Houses of Congress that year "directing the payment of the surplus in the Treasury on the public debt."<sup>88</sup> Since the debt far exceeded the surplus, the execution of this resolution would wipe out whatever surplus may have existed. Further, he held, when the Senate passed this resolution it killed the Blair bill. On the general subject of Federal aid, however, he quoted the plank in the National Democratic platform opposing "all propositions for the collection of taxes to be distributed among the States or the citizens thereof" with the assertion that both the National and State Democracy stood upon it. Then he reaffirmed his former position in favor of Federal aid to education from proceeds of public land sales. This policy, he declared, had been instituted by a Democratic Congress and approved by Jefferson and for half a century the Democratic party had used the public lands to further the cause of education in contrast to the Republican policy of turning them over to "land grabbers, railroads and corporate monopolies." On this question, he said, he followed the plain paths of Democratic principle taught by Jefferson.<sup>89</sup>

In view of the controversy which later arose over Taylor's campaign views on this subject, it is important to fix firmly in mind what his actual position was. First of all, he did favor Federal aid to education with funds derived from public land sales. Next, he stood on the national platform of his party which opposed the collection of taxes to be distributed among the States. In this he, like the platform, was subject to different interpretations. In respect to the existing surplus, he held that Congress had disposed of it by directing its application on the public debt and that, in so doing, had killed the Blair bill. It is true that his proposal in regard to the public land seems not to have been

<sup>88</sup>*Congressional Record*, Vol. 17, p. 1704, et al. H. Res. 126.

<sup>89</sup>*Nashville American*, Sept. 10, 1886.

considered seriously by the press or by extremists in the Blair bill fight.<sup>40</sup> It is also true that he was accused of acting in bad faith with the public when he declared the surplus non-existent and the Blair bill dead. The resolution he referred to did pass both Houses of Congress just five weeks before Taylor made his speech. Congressional discussions on the measure show that it was expected to dispose of the surplus. Further developments proved the policy uneconomical and Senator Blair again introduced his bill in 1888 but it seems unjust to accuse Taylor of bad faith because the recently adopted policy of Congress did not work.

Only one large paper expressed a sympathetic understanding of "Bob's" predicament. It believed that he was trying to lead the party out of "Bourbonism" without abandoning old principles which were "true, genuine and essential." While it condemned his manner of dealing with questions, it admitted that a statesman must not go too fast.<sup>41</sup> It further observed that—

"Bob is somewhat constrained by the National platform, by the fact that his party is in power, by his own State platform, and by the differences within his own party, to an equivocal and noncommittal line —."<sup>42</sup>

As a matter of fact, Bob Taylor pleased neither faction with his position and both seem to have regarded him as a hopeless case. During the remainder of the campaign he received practically no editorial mention in the daily papers of his party. They largely ignored his views on that and other issues. They carried his name on the editorial page, along with the rest of the ticket, and they printed news about the campaign but there was a noticeable lack of enthusiasm. The press continued its heated discussion of the Blair bill and Alf Taylor continued his efforts to make it the dominant issue but Bob would not be moved from his position.

The result of the election is too well known to be discussed here. While "Our Bob" had failed to please the leaders of either faction of his party he had pleased the voters of Tennessee. He had entered upon his career as conciliator in Tennessee politics.

<sup>40</sup>Though the city press and extremists, both for and against the Blair Bill, either ignored or ridiculed Taylor's proposal respecting the public lands, it must be said that this plan had received very serious consideration. Oberholtzer refers to its popularity in Congress and suggests that the reason for its not being adopted was the slowness with which funds would be secured. See—Oberholtzer, *op cit.*, Vol. IV, pp. 559-560. It is also interesting to note that between 1880 and 1886, when Taylor made his proposal, no less than seventeen measures had been introduced in Congress embodying the idea that public education be aided from proceeds of public land sales. See—*Congressional Record*, Indexes to Vols. X, XIII, XV, XVII. In view of these facts, it seems that Taylor's proposal deserved more consideration than it received at the hands of the extremists.

<sup>41</sup>*Memphis Avalanche*, Sept. 11, 1886.

<sup>42</sup>*Ibid.*, Sept. 23, 1886.

Early in the Legislative session after Taylor's election that body expressed itself on the Blair bill and Federal aid to education. By a vote of 19 to 11 the Senate defeated a resolution instructing Senators and requesting Representatives at Washington to support some constitutional measure granting Federal aid, which did not require States to match appropriations. This latter clause clearly eliminated the Blair bill from the scope of the resolution and for that reason all Republicans voted against it. They were joined by eight Democrats who opposed Federal aid under any conditions while eleven Democrats supported the resolution.<sup>43</sup> In the Lower House two resolutions were introduced, the one endorsing the Blair bill specifically and the other the principle of Federal aid. Both measures were tabled by a small majority, the Democrats strongly opposing both.<sup>44</sup> This produced the rather interesting situation that the majority of Democrats in the Upper House endorsed Federal aid while their fellows in the Lower Branch opposed it.

It was under such circumstances that Governor Taylor sent his message to the Legislature that was to arouse the students of Cumberland University and the leaders of the Harris Democrats. To quote his exact words again,—

"My sense of duty to the children of the State compels me to say that if there is a surplus of money in the National Treasury not applicable to the payment of the National debt, the appropriation of the same for this purpose (educational), stripped of the conditions of Federal supervision, would be an inestimable blessing to them."<sup>45</sup>

Clearly, this was not an endorsement of the Blair bill for that measure carried much of Federal supervision. On the other hand, it was an endorsement of the principle of Federal aid, but this, as we have seen, was no new position for Taylor to take. Nor had he abandoned his belief that the surplus should be applied to the public debt. Only in case this could not be done did he approve of Federal aid. It is true, he had contended during the campaign that no surplus existed but here he was not necessarily inconsistent for his whole position in the message was based upon the condition: "if there is a surplus."

The only difference between Taylor's position as candidate and Governor lay in his failure to mention in his message that aid should come from public lands. This proposal, however, had recently been before the State Senate and had met with no favor. The Senate's action rather than Taylor's acquiescence in the surplus and therefore in tariff

<sup>43</sup>*Senate Journal*, Tennessee Legislature of 1887, S. J. R. No. 20, pp. 257-261.

<sup>44</sup>*House Journal*, Tennessee Legislature of 1887, H. J. R. Nos. 26 and 29, pp. 126, 232, 243, 244.

<sup>45</sup>*Senate Journal*, Tennessee Legislature of 1887, p. 300.

protection, seems to have led him to abandon his demand that Federal aid come from public land sales. While it is possible that his failure to insist upon this may have contributed to the dissatisfaction of the Harris wing, it seems probable that the cause was the Governor's supposed acceptance of the Colyar leadership.

Whatever may have been the true reason, Bob Taylor was repudiated by the leaders of the Harris faction. After a three-day silence their Nashville organ spoke. Governor Taylor, it asserted, had fallen into the embraces of the little "mugwump" coterie of Nashville and had changed his views. Further, it added,

"His every utterance on this subject from his letter of acceptance to his closing speech was in opposition to the Blair bill and not one single time did he ever utter or intimate such views on this question as are contained in his message."<sup>46</sup>

The Governor no longer represented the Democracy of the State, it declared, and the paper continued to maintain this position until it was bought by Col. Colyar three months later. Such expressions were mild, however, compared to the fury of the Harris paper in Knoxville, which denounced Bob Taylor's "flop" and held that the Governor was either a fool or else had some ulterior motives. This "mongrel administration," it declared, had betrayed the Democratic party.<sup>47</sup> In an editorial headed "Taylor's Treason" it claimed that forty-three party newspapers of the State had condemned the Governor for his betrayal. It quoted bitter sentiments from some of these and editorial headings from many others. "Governor's Plighted Faith," "Unpardonable Perfidy" and "Contemptible Apostasy" were typical introductions to many an editorial blast.<sup>48</sup> The Knoxville paper declared that he had fallen in with certain lobbyists at Nashville and had changed his views between the issuance of his message to the press and the time of its delivery.<sup>49</sup> And so for six months it raged.

The Colyar group was delighted with the message. This wing of the party had apparently become disgusted with Candidate Taylor and had rendered him only such support as regularity required. Before the message was delivered, however, it had noted certain favorable signs. The Governor had appointed Professor Frank M. Smith as Superin-

<sup>46</sup>Nashville American, Feb. 13, 1887.

<sup>47</sup>Knoxville Tribune, Feb. 26, Mar. 10, 19, 27, 1887.

<sup>48</sup>Ibid., Feb. 15, 1887. The papers listed were—Bristol Courier, Gallatin Tennessean, Jackson Tribune-Sun, Marshall Gazette, Dickson County Press, Martin Mail, Hartsville Sentinel, Paris Tribune, Cannon Courier, Dyer County Times, Morton's Advance, Maury Democrat, Carthage Mirror, Ripley News, Shelbyville Commercial, Franklin Review and Journal, Clarksville Democrat, Brownsville States-Democrat, McMinn Citizen, Trenton Herald and 21 others.

<sup>49</sup>Ibid., Feb. 15, 1887.

tendent of Public Instruction. It was declared that he was "a hot high protective tariff man and a warm advocate of the Blair bill" and that his nomination had "raised the devil" in the executive session of the Senate.<sup>50</sup> The Colyar people saw in this appointment a commendable disposition on the part of the Governor to run his own administration and to accept no dictation from the machine in the matter of his appointments. In this state of mind, the Colyar press lost no time in rushing to the defense of the Governor and his message when both were assailed by the hostile faction. Even the austere Independent at Nashville which had delighted in a campaign characterization of Bob as "the cat-gut tickler of the mountains"<sup>51</sup> who failed to "evinced any satisfactory knowledge of the issues"<sup>52</sup> now found the Governor's message "an excellent document" showing a "broad-minded view of State affairs."<sup>53</sup>

The entire Blair bill press maintained that Bob Taylor had not changed his position on that subject, that he had favored Federal aid without Federal control from the very first, that he had not favored the Blair bill during his campaign and had opposed it in his message. In this it was right but it did not explain why it had regarded his same position so coldly during the campaign and with such approval three months later. One suspects the reason when he reads further that Bob's real offense as Governor had been his refusal to place himself under the control of the machine.<sup>54</sup> Quotations from the 41 papers, claimed as commending the message, carry out this theme.<sup>55</sup> The Lebanon editor who had been amazed at the way "Robert had dodged the issue" as candidate now opined that the "self-constituted bosses" who were trying to read the Governor out of the party would regret the attempt for, it said, "Bob Taylor has the masses back of him and he can afford to laugh at the threats of the Harris henchmen."<sup>56</sup> Another Middle Tennessee editor said: "When the opposition to Governor Taylor is sifted down fine, the significant fact looms up that he

<sup>50</sup>Knoxville Tribune, Jan. 30, 1887.

<sup>51</sup>Obion Democrat, quoted in Nashville Banner, April 5, 1886.

<sup>52</sup>Nashville Banner, Sept. 13, 1886.

<sup>53</sup>Ibid., Feb. 11, 1887.

<sup>54</sup>Nashville Banner, Feb. 14, 1887; Nashville Union, March 4, 1887.

<sup>55</sup>Nashville Union, Feb. 21 to March 4, 1887. Papers were: Clarksville Tobacco Leaf, Springfield Record, Memphis Ledger, Memphis Avalanche, Memphis Scimitar, Lebanon Herald, Milan Exchange, Humphreys County News, Jackson Dispatch, Sequatchie News, Martin Mail, Chattanooga Commercial, Tipton Record, Pulaski Citizen, Somerville Falcon, Camden Herald, Fayetteville Observer, Forked Deer Blade, Waverly Times-Journal, McNairy Independent, Marshall Gazette, Manchester Times, Bedford County Times, Sparta Expositor, Sparta State and Farm, Lynchburg Falcon, Union City Anchor, Dresden Enterprise, Tracy City Times, Humboldt Messenger, Pulaski Democrat, Purdy Democrat, Pullahoma Guardian, Carthage Record, Chattanooga Times, Morristown Gazette, Shelbyville Gazette, Dayton News, McMinnville New Era, Murfreesboro Times, Nashville Union.

<sup>56</sup>Lebanon Herald, quoted in Nashville Banner, March 3, 1887.

may become a lion in Senator Harris' path. It has been decreed in words succinct that the Tennessee politician dangerous to King Isham must forthwith be beheaded."<sup>57</sup>

A study of editorial expression by both groups leads to the conclusion that distribution of patronage and factional prestige rather than the Governor's views on the Blair bill, were the real issues. Had his appointments been otherwise, his assailants and defenders would have taken directly opposite positions as to his message.

While the controversy over his message lasted, the Governor maintained a complete silence. Only indirectly do we get his version at this time. The newspaper which he had jointly owned and edited before his nomination and which was still published by his friend and former partner gave this version. The message was no endorsement of the Blair bill, it held, and did not conflict with the Governor's pre-election sentiment. He does not believe, it explained, that the General government has the right to collect taxes for any other purpose than the expenses of government, economically administered. But a different principle applied to the surplus already existing, one that had governed Andrew Jackson when he disposed of an existing surplus by lending it to the States without conditions and with the general understanding that it was not to be repaid. To this principle Taylor adhered.<sup>58</sup>

The Governor's first words on the controversy came in December, 1887, in a speech before an educational convention at Jackson, where he explained his position as follows:

"— I am not and never have been in favor of that terrible Blair bill.—I said in my message—and I repeat it now that if, after the General government has discharged all its current obligations and met every demand, if, after this, there remains a surplus of money in the treasury not applicable to the national debt, because not yet due, then, I said, the appropriations of such a surplus for educational purposes, stripped and freed of every possible condition of Federal supervision and control, would be an inestimable blessing to the children of the State. I said in substance, and say now, that such a surplus and under such circumstances and unburdened with conditions prejudicial to the local government of the states, could not flow back to the people, to whom it belongs, through better channels than the school room.

"I want to be understood. We do not want Federal aid to education unless it be appropriated to the State of Tennessee to be used under her own laws without any Federal control whatever. We want it as we received it fifty years ago when Hickory Jackson was President. I emphasize these remarks because I have been so grievously misquoted."<sup>59</sup>

<sup>57</sup>*Clarksville Tobacco Leaf*, quoted in *Nashville Banner*, March 3, 1887.

<sup>58</sup>*Johnson City Comet*, Feb. 17, 1887.

<sup>59</sup>*Nashville Banner*, Feb. 11, 1888.



By 1888 the Blair bill had ceased to be a topic of editorial discussion in Tennessee except in connection with Bob Taylor's renomination. It was evident early in the year that he would have strong opposition and it was equally evident that his Blair bill position would be made the issue. That section of the party press which had been so offended at his message had not forgotten its bitterness. It was charged that the Governor faced both ways and that his position one week was no indication of what it would be the next.<sup>60</sup> It was asserted that "Bob" was still trying to explain his attitude toward the bill but that his explanations would have to be more satisfactory than they had been if he ever got the nomination.<sup>61</sup> One bitter editor declared that he would support Taylor, if nominated, but, he said: "—it will be the toughest mess of carrion crow we have ever been called upon, in our unswerving party loyalty, to partake of."<sup>62</sup>

Numerous candidates were brought forward in opposition but Major Tom McConnell of East Tennessee seems to have been regarded as the most logical man. Taylor's defeat was freely predicted. One Middle Tennessee paper held that anyone "with half an eye" could see that "Our Bob" would not be the nominee,<sup>63</sup> and a hostile Memphis editor, conceding "Bob's" defeat, speculated on what candidate his delegates would support.<sup>64</sup> That this was largely defeatest propaganda is evident from a remark in the latter paper a month before. It stated: "there are three newspapers in East Tennessee for Bob and thirteen against him and yet he has managed to carry every county convention so far held."<sup>65</sup>

Though none of the large city dailies were active in the Governor's behalf, a considerable number of small town weeklies were loyal to him. These scouted the idea that he would not receive the nomination. One regarded it "a bit of grim humor" to talk of ousting "Bob" because, it asserted, "He is today nearer the great heart of the people than any other public man in Tennessee."<sup>66</sup> Another warned the Democratic "sore heads and malcontents" to call off their "dogs of war" for, it said, resorting to the mock scriptural:

<sup>60</sup>*Dresden Enterprise* and *Forked Deer Blade*, quoted in *Nashville Banner* of Jan. 1 and Feb. 6, 1888.

<sup>61</sup>*Union City Advance*, quoted in *Nashville Banner*, Jan. 28, 1888.

<sup>62</sup>*Obion Democrat*, quoted in *Nashville Banner*, Feb. 23, 1888.

<sup>63</sup>*Belbuckle Star*, quoted in *Nashville Banner*, Jan. 28, 1888.

<sup>64</sup>*Memphis Appeal*, May 7, 1888.

<sup>65</sup>*Memphis Appeal*, Apr. 2, 1888.

<sup>66</sup>*Jackson Whip*, quoted in *Nashville Banner*, Feb. 7, 1888.

"— it is written that neither death nor life, nor principalities nor powers, nor things present nor things to come, nor height nor depth, nor Tom McConnell nor Tom Williams, nor any other Tom, shall be able to separate Our Bob from the people."<sup>67</sup>

During the pre-convention fight the Governor's opponents claimed that he was supported only by the "pie eaters," while his friends were equally positive that the opposition consisted entirely of those who had been disappointed and who longed for a place at the counter. Whether or not it was merely a "pie eaters' war," certainly the Blair bill was not an issue of future policy.

The Democratic State convention, which met in May of 1888, revealed the depth of the bitterness still existing. The party platform contained the same plank on Federal aid as that of 1886. It endorsed President Cleveland's administration and praised him for his leadership of the party but it studiously refrained from mentioning the name of the Democratic Governor. It was satisfied with the "successful management" of State affairs for the past two years "by the Democratic party" but, contrary to precedent, accorded the Governor no praise for his part in it.<sup>68</sup>

On the first ballot Governor Taylor received a majority but was 230 short of the necessary two-thirds.<sup>69</sup> The long stubborn fight began. Ballot after ballot followed with the Taylor forces unable to reach the required number. The opposition was equally unable to break the Governor's ranks. It centered on one candidate after another but the Taylor line held fast. By mid-night of Saturday the thirtieth ballot had been taken and, though Taylor had gained in strength, he still lacked 75 votes of reaching the goal. In the meantime a meeting of Democrats was held at Tullahoma and this message was wired to their delegates at Nashville: "Continue steadfast in Bob's behalf until the fodder is pulled or the pumpkins get ripe." On Saturday a mass meeting at Columbia voiced the same sentiments.<sup>70</sup> In fact, during these days a flood of telegrams and letters from the people back home urged many a wavering delegate that "Our Bob" deserved another term.

A Sabbath's rest and meditation failed to heal the breach and on Monday the deadlock continued. Following the thirty-seventh ballot Major John J. Vertrees, leader of the opposition, voiced the sentiments of his followers. He pointed to the deep-seated opposition existing and declared that the Governor's utterances on certain public questions did

<sup>67</sup>*Rogersville Democrat*, quoted in *Nashville Banner*, Feb. 23, 1888.

<sup>68</sup>*Nashville Banner*, May 11, 1888.

<sup>69</sup>*Nashville American*, May 15, 1888.

<sup>70</sup>*Ibid.*, May 15, 1888.

not agree with the platform. His group was willing to take any man "whose record is consistent and who can stand on the platform." "We are not asking for any man," he pleaded, "but we are asking you to give us a man we are not constantly having to defend."<sup>71</sup> The plea fell on deaf ears and on Tuesday, after six long, bitter days and nights, Major Vertrees read the following statement to the convention:

"The delegates in opposition to Governor Robert L. Taylor have decided to no longer oppose his renomination. We now permit him to be renominated by the delegates supporting him. We will not vote when the roll is called so that he may receive all the votes that may be cast."<sup>72</sup>

On the fortieth ballot, after organized opposition had ceased, Bob Taylor was renominated but without the votes of the "bitter enders."

The campaign began and time exercised its healing powers. Colonel Colyar had supported the Governor in the convention. Senator Harris was to come up for re-election a few months later and Bob Taylor's strength with the people was no longer to be doubted. It could not be ignored. The noise of the Blair bill fight yielded before the strains of the fiddle and the bow. Harmony prevailed in the Democracy of the State, and Bob Taylor continued his role as conciliator in Tennessee politics.

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<sup>71</sup>*Nashville American*, May 15, 1888.

<sup>72</sup>*Ibid.*

## HAZARD'S PROPOSED COLONY IN THE TENNESSEE COUNTRY—1755

SAM'L C. WILLIAMS

The archives of Great Britain and America continue to reveal to diligent researchers valuable materials on the dawn of Tennessee history—data unknown to and even unsuspected by those who have written the history of the Commonwealth.

Fairly recently brought to publicity is an interesting document, *Notes on Proposed Settlements in the West*, found in the collection of Dr. J. M. Toner, Manuscript Division, Library of Congress, and edited and contributed by Dr. Beverly W. Bond, Jr., to the Publications of the Historical and Philosophical Society of Ohio for 1925. In his foreword Dr. Bond states that the MS is a copy made by Toner and that no trace had been found of the original which might give a clue to the author of the document. Dr. Bond is of opinion that "internal evidence regarding the writer accents the value of the *Notes*. It is quite apparent that he lived in Pennsylvania, and that he was thoroughly conversant with the problem of frontier defense." Dr. Bond does not venture to name any particular person as the writer, or probable writer, but asserts that "there is evidence, too, that he was a personage, probably an official of the colonial government, who was in close touch with contemporaneous politics in both Pennsylvania and England. Yet he was a strong supporter of colonial rights, and was probably American born."

The thesis of the present writer is, that the person who wrote the *Notes* was Samuel Hazard, of Philadelphia;<sup>1</sup> and that he based the document in large part on information gained from Christopher Gist and his son, Nathaniel, both of whom prior to the time to which the document relates had been residents of the western part of Pennsylvania. Or, if not, from Wm. Finley, of Augusta County, Virginia.

Philadelphia was at the time a focal point of interest in the development of the West beyond the Alleghany range.

<sup>1</sup>A brief biography of Hazard by John Ward Dean is in the New England Historic Genealogical Society's *Memorial Biographies*, VI (5th annex).

The family of Hazard displayed ability. His son Ebenezer, born in Philadelphia, Jan. 15, 1744, was a graduate of Princeton, 1762; postmaster-general of the United States, 1782-89. His *Historical Collections; consisting of State Papers and Other Authentic Documents*, appeared in Philadelphia in two volumes, 1792-94. Samuel Hazard, presumably a grandson, was editor of *Hazard's U. S. Commercial and Statistical Register*, six volumes, Philadelphia, 1840-42; and author of *Annals of Pennsylvania, from the Discovery of the Delaware, 1609-1682*; Philadelphia, 1850.

In the Albany Conference of the Colonies in 1754 Benjamin Franklin advocated that colonies be established in that region and his project was indorsed by Thomas Pownall, who about the same time proposed to Lord Halifax, the president of the British Board of Trade, a scheme for colonies in that region to serve as barriers or buffers for the frontiers east of the mountains and as vantage points from which to attack and expel the French from the Mississippi Valley. Franklin thought that the Scioto Valley, in the present Ohio, was "the fittest" seat for such a colony advocated by him in his Philadelphia journal.

Hazard, then a merchant in Philadelphia, was evidently inspired by Franklin's writings to formulate a project for a colony in the great valley to be established on a great grant of lands from the British government.

The limits he proposed for his grant included the Tennessee Country. His was an ambitious design as may be seen by the wide domain he solicited: "To begin at the distance of one hundred miles westward of the western boundaries of Pennsylvania, and thence to extend one hundred miles to the westward of the River Mississippi; and to be divided from Virginia and Carolina by the great chain of mountains that runs along the continent from the northeastern to the southeastern parts of America."<sup>2</sup>

The war between Great Britain and France, then in actual progress though not officially declared by either of the belligerents, was thought to afford, in event of the success of the British, the opportune time to launch such a westward movement.

From the document it is inferable that the first portion of it was written in 1755. One date only is recorded (about midway) "August 22, 1757." There are repetitions in the *Notes* indicating that they were thrown together and added to during the years 1755-1757.

In the fall of 1755 Hazard made a journey to make investigations in behalf of his enterprise "chiefly on the frontiers of Pennsylvania, Maryland, Virginia and North Carolina," as he wrote the Pownall.<sup>3</sup> This communication tends to show an interest in the scheme on the part of Pownall, who was in correspondence with Lord Halifax, so often mentioned in the *Notes*, about "one large step over the mountains, with a numerous military colony."<sup>4</sup> In 1756 Pownall

<sup>2</sup>The range referred to is uncertain—probably the Cumberlands east of Kentucky and the Alleghanies east of Tennessee. For Hazard's Scheme, see: *4 Am. Arch.*, II, 861; *Gist's Journals*, 281; Alden, *New Governments West of the Alleghanies*, 7, and Alvord's *Mississippi Valley in British Politics*, 91-2.

<sup>3</sup>*Almon's Remembrancer*, III, 133; Alden, *op. cit.*, 8 n.

<sup>4</sup>Pownall, *Administration of the Colonies*, II, 174, 217; Alvord, *op. cit.*, 91.

laid a memorial before the Duke of Cumberland, commander-in-chief of Britain's military forces, urging the necessity of a colony "at the back of Virginia, filling up the vacant space between the Five Nation and the southern confederacy [of Indians]"<sup>5</sup>

The journey of Hazard in 1755 was, it seems certain, not west of the Alleghanies but through the frontier settlements east of that range. Names of bordermen in the Valley of Virginia are sprinkled, parenthetically, throughout the *Notes*. These probably were memoranda as to men who might be relied upon or induced to become settlers in one of the two centers Hazard had in mind—one in the Tennessee Country, the other at the mouth of Scioto, at first, and later tentatively fixed at the mouth of the New (Kanawha) River.<sup>6</sup>

While on the frontier whom would he seek out for information or advice in preference to Christopher Gist, who had made three tours to the Ohio River region in the years 1750-53, two of them far into the interior—on the last one in company with young George Washington? From the Gists, father and son, he could have gained information as to the Overhill Cherokees, their towns, agriculture, resources, etc., since the son, Nathaniel, had been among those Indians as early as 1753, and in 1754 was sent as messenger to them by Governor Dinwiddie, he going from Major Washington's camp. The object of the mission was to urge the Overhill Cherokees to send warriors to the aid of Virginia in the contest, then in its beginnings, with the French. Young Gist and Richard Pearis were traders to the Cherokees in 1754, being supplied with goods by Christopher Gist, and the latter was equipped to give the information that was incorporated in the *Notes*, respecting the Cherokees and their country and the Ohio River region.

George Croghan is the only other person who has been suggested as the writer; but, while Croghan was thorough-

<sup>5</sup>Dr. Thomas Walker may have sought to win the support of the Duke of Cumberland to his Loyal Land Company by naming a mountain range and a river for him. Among those named are the following who may be supposed to have been related by Hazard to the Tennessee Colony:

William Finley: He was a trader among the Overhill Cherokees in the decade 1760-1760, and was also familiar with the Northwestern Indians. His home was in Augusta County, Va., as early as 1747. *Cal. Preston Papers*, 4, 57; and on the noted Borden Grant in that part afterwards Rockbridge County. Morton, *Rockbridge County*, 418.

Thomas Sharp: Of the Valley of Virginia; colonial soldier. The Sharp family was living near Bristol in 1778, and a Thomas Sharp, probably of the next generation, was one of Col. Isaac Shelby's officers in the battle of King's Mountain.

John White: Of the same section; colonial soldier; in Rockbridge County, 1761, and in 1774 in that part now known as Botetourt County.

Williams Blair: Colonial soldier of Virginia. Henning, *Statutes*, VII, 185, 187.

William Boyd: In Botetourt, 1771.

John Williams: John Williams, perhaps his son, was in Lord Dunmore's War, 1774, Capt. Wm. Nalle's company from Augusta County. Another John Williams was in the Watauga contingent of Capt. Evan Shelby's company, at the battle of Ft. Pleasant, 1774. Summers, *Annals of S. W. Virginia*, 1413.

ly conversant with the Ohio country, he was not with that of the Cherokees. His latest biographer in a full treatment after wide and detailed search for data does not mention him in this connection, but demonstrates that Croghan was lacking in education, indeed, was illiterate or barely literate.<sup>7</sup> He could not have written the *Notes*, though Gist conceivably might have done so, as his *Journals* of the tours referred to manifest. The *Notes* evidence a chain or sequence of influence, operative as high up as to the Earl of Halifax, not to mention the Duke of Cumberland. It seems that the "metropolis" suggested for location at the junction of the Holston and Little Tennessee Rivers (the present Lenoir City) was to bear the name of Halifax.

In May, 1755, Hazard and his associates, persuaded the general assembly of Connecticut to relinquish that Colony's claim to part of the territory desired for colonization, but the concession was made upon the condition that "the petitioners obtain His Majesty's royal grant."

A prospectus of "Hazard's Scheme" was published in Philadelphia July 24, 1755; and in May following a supplemental prospectus was issued. The plan was that of a religious zealot and failed to win the adherence of Hazard's fellow-townsmen, Franklin.

Protestants of every denomination were to have freedom of religion. Roman Catholics were to be prohibited from becoming holders of land and from having arms or ammunition in their possession; no popish chapels were to be allowed in the colony. However, no person should be obliged to contribute to the support of any church to which he did not belong—a blow directed at the Established Church of England, which, it was declared, had shown no disposition to encourage or follow settlements in the wilderness. Quakers would not go because "principled against war to defend the country." Baptists were few. "It remains that the Presbyterians must settle that country, or it must be exposed to the French."

Chimerical as the scheme may appear, in some of its phases, to us of the present day, it was stated by General Phineas Lyman, of Connecticut, in his petition to the King's Council in 1766, that his own plan for a charter and grant for a colony in the Mississippi Valley was "on behalf of 4,320 persons who in the year 1755 subscribed under one Mr. Samuel Hazard of Philadelphia" whose "plan was in the same year communicated to the Right Honorable, the Earl of Halifax, etc."<sup>8</sup>

<sup>7</sup>Volwiler, *George Croghan, passim*.

<sup>8</sup>Alvord and Carter, *New Regime*, 260.

And in the second attempt, by Hazard's son Ebenezer in 1774, to revive the scheme on a less ambitious scale, it was stated that the father had "procured the subscriptions of between four and five thousand persons, able to bear arms, some of whom were worth thousands" who were ready to follow Hazard to one of his colonies in the West.<sup>9</sup>

With such a following, had the plan been less grandiose, less proscriptive, and more practical, it might have had a measure of success; particularly had it received the support of influential noblemen in England, given interests to induce them to lend their names, and diplomacy had been used in the handling of the Indians—the last named the most ticklish of the problems.

Had the colony and the metropolis in the region of the Overhill Cherokees eventuated, the city of Knoxville would have been forestalled—without reason for existence.

Hazard, while preparing to sail for England in furtherance of his enterprise, died in the fall of 1758. It will be observed that no events of the year 1758—latter part—are mentioned in the *Notes*, which is further evidence of its author being Samuel Hazard.

Portions of the *Notes* which relate alone to the Ohio colony have been elided at places shown by elision marks, since this paper is purposed to treat of the proposed colony in Tennessee, primarily.

By a Settlement at Siotho the War might be Carr'd into the Enemys Country & the Scene of Terror & Distress Turn'd to our Enemies—Its a shame & scandal that so Few Indians & French are permitted to Triumph over the Colonies & Depopulate them—To Court the Indians & Let them see our Terror Is But to Encourage them—they are not Influenced by Generous Motives—Fear and intrest more prevalent Ones—

Its Said the Cherokee are offended at our Courting their Enemies—Strange Policy To Offend Thousands To Please a Few Murderers who Have Justly Forfeited their Lives—

Provis's Cattle drove along might give milk by the way and at the Settlement—

Thousands of Cattle may be supported at Siotho &c From natural Clover and other Grass—many Large Drafts of natural Meadow without Timber—2000 Men may soon Fence Pasture enough In a Fork of 2 rivers—Dogs usefull to Guard Cattle agt Indians—

. . . If we go by Augusta<sup>10</sup> we march thro' our Own Country In Safety most of the Way & Proviss's may be easily and Cheaply Laid in Beforehand at Proper Stages . . . Proviss's Cheap in Augusta as they have no market to Carry them to—Cattle very Cheap there & at North Carolina.<sup>11</sup>

<sup>9</sup>Col. Rec. of Connecticut, X, 382; 4 Am. Arch., I, 865.

<sup>10</sup>Augusta County, Va., was established in 1746. From an early date there were traders to the Overhill Cherokees from the county.

<sup>11</sup>Christopher Gist had lived for a time on Yadkin River, near the present Wilkesboro, N. C., whence he was called to go as guide to Washington, 1750. A brother of his lived on the nearby Dan River in the same Colony. Fries, *Records of the Moravians*, I, 97, 102.



100 or 200 Cohorns may be got at Small Expense—Be made Light & do great Service in Throwing Grape Shot &c for 1-2 a mile distance w<sup>ch</sup> might Guard against Indians or Cut them off in their Attempts To Flee away—

a Considerable number of Settlers Live In Agusta and more wou<sup>d</sup> Come from other parts of Virga— . . . Its ridiculous To Suppose the French have got So Large a County Because they have a Few Forts & Settlements—the Indians will be in the Intrest of the Strongest and when they Find the French Can't Supply them will be glad to be at Peace w<sup>th</sup> the English—the Indians must be Taught To Fear Us and then they'l act Like Fr<sup>d</sup>s; an Honest & Steady Behav<sup>r</sup> when they see they are at our mercy will make them Fr<sup>d</sup>s If Gen'l Principles have an Influence at all w<sup>th</sup> them—they must know the only Way to be Safe Is to act Honest & Be True to the Eng: for If they are Treach's they will be destroy'd— If Intrest Gov<sup>ns</sup> Civiliz'd nations & not Friendship how Vain is it To Expert Savage Indians will be Govern'd by Freindship and how weak or wicked the Policy that Sacrifices the Lives & Propertys of those they sh<sup>d</sup> protect to such Schemes. The Indians thro' Fear or Intrest do the French work, Kill the English &c.

2000 Men, Properly Spirited By Quick motions Like K: of Prussia<sup>12</sup> might subdue even N: Orleans itself—Boats might be made & Come upon them unawares Before they Even knew anything of the design—

Cannon & Shot & Bombs &c. might soon be Cast in the Countrey as Iron Ore Is Found In many places About the mountains—

Let those who go first have 500 acres of land as Soldiers Besides their right as Settlers. Let them have also all the enlisting money officers used to get or all Except what is paid for the real Trouble &c of Gathering them Together—Let them have also the usual Bounty money arms Proviss's &c. and the Value of Cloathes In Money If desired & if necessary for their Familys—Enquire what the Royal American regiment had & what Hallifax Settlers & Georgia had. . . .

If we are more Powerfull in the Field than the French we need not regard their Forts or Loose Men In Taking them as their Supplies may be soon Cut off and they Forc'd to abandon them—

Ministers If Employed as Chaplains wou<sup>d</sup> be of great Importance in raising men & Save Expense of that nature— Capt'ns &c. Cou<sup>d</sup> raise men without any additional wages if Proper Industrious & not Lazy men are employed—

The men who go to Possess the Country might Be Provincial Troops of the New Colony in the Kings Pay— . . .

While French are near Indians will always be dangerous; let them be remov'd & Indians must Be at peace—

A settlement at the mouth of Holston Cuts off Communication Between the French & Cherokees who are settled on its Branches Toward Carolina—the Present Favourable disposition of the Cherokees gives great advantages for making the Settlement & If its delay'd they may waver—Now too Is the Best Time not to Offend Friendly Indians Since the murders Committed must Convince them of the necessity the English are under of driving out the French & Securing themselves— Even the delays of the Colonies<sup>13</sup> To Fight the French and Indians may in this Case Be Improv'd to good Purpose to show how unwillingly they was to disturb their neighbors—In Short All things Consider'd Now Seems to be the Happy as well as

<sup>12</sup>Frederick the Great.

<sup>13</sup>War was formally declared about a year after hostilities had begun.

the Critical Time for Rooting Out the French & makeing the Settlement & Securing the Countrey and his majesties Possession—The Southern Colonies are Weakest & most need Defence—the Cherokees and Creeks are the only nations most to be Fear'd Among the Indians this Seemes; at least the Cherokee at the mouth of Holston are Far from N. Orleans & French must have road way to Cherokee

— . . . In the Winter an Expedition Set afoot ag't N: Orleans Mobile &c., Men might be employed from New Eng'd & all Quarters for 6 mo. only & allowed Travelling expences for man & Horse 2/ Sterl. a day, 40 miles To a day—Horses might Be Pastured all Winter in Cane Swamps In the Back Parts of North Carolina for 20/ P Sterl. or probably Less—a Fort might Be Built at Stalnicks<sup>14</sup> or thereabouts with Boats To Bring down the People, the real design might Be Covered By Bringing down Proviss's to those already<sup>15</sup> at the mouth of Holston<sup>16</sup>—People Being Invited from all Quarters to the Expedition for a Winter Frolick would see the Country and draw settlers from every where—when the Business is over those who Choose to return might go & those who Incline to Stay to Settle and defend whats conquered

If Holston Be the Route It will have the advantage of either attacking Mobile w'ch is very Handy or of Possessing the Mouth of Holston as was most adviseable. The favourable disposition of the Cherokees might assist either of these designs & either might be Taken as circumstances required. Common sense wou'd Teach not absolutely To Fix Till the events at present contingent are known. Events of War always uncertain may govern far more adviseably, and what ever Be the real design haveing an opportunity of Choice the French may more easily be amused and Their attention drawn the wrong way—and at Holston we make either a Winter or a Summers Campaign or Even Both as occasion required, our northern men Being able To Bear the moderate Cold of that Climate—Quer: whether rains wou'd not prevent—

The Cherokees may If necessary be Employed to raise Corn and Agreed for Beforehand at 18d. Sterl. a Bushel as It is In Common;<sup>17</sup> they raise great Quantities<sup>18</sup>—

When the Women & Children go Let them Set down where the Principal City or Metropolis Is Finally to be and Let those who go First have all the advantages Arising from the Best Situation & Land at or near the Metropolis &c.

<sup>14</sup>Samuel Stalnacker about 1748, with the assistance of Dr. Thomas Walker and his associates, erected a cabin home on the upper reaches of the Middle Fork of Holston River. Stephen Holston, for whom the stream was named, had his cabin about nine miles east, at the head spring of the river. It is interesting to note that Stalnacker's place was the site of an encampment (called Fort Attaculla, in honor of the Cherokee chief) of the Byrd-Stephen regiment on its march to Long Island-of-Holston in 1760.

<sup>15</sup>Maj. Andrew Lewis was in 1756 constructing a fort for Virginia opposite Chota. A good number of artisans were with him.

<sup>16</sup>The junction of the Holston and Little Tennessee Rivers. The spot has always been noted for its beauty. Col. Arthur Campbell and Thomas Jefferson pointed out its availability for fortification; and in the days of the Southwest Territory Fort Grainger was constructed there.

<sup>17</sup>"The Indian (Cherokee) law obliged every town to work together in one body, in sowing or planting their crops . . . The delinquent is assessed more or less according to his neglect." Williams, *Adair*, 462.

<sup>18</sup>"Corn is their chief produce and main dependence." *Ib.*, 437. The valley occupied by the Overhill Cherokees is today of exceeding fertility; the soil well adapted to corn, a black loam. It was described by DeBrahm in 1756: "Their vallies are of the richest soil, equal to manure itself, impossible in appearance ever to wear out. . . should this country once come into the hands of the Europeans they may with propriety call it the American Canaan." Williams, *Early Travels in the Tennessee Country*, 193.

Aug<sup>t</sup> 22: 1757 Antho. Bonezett<sup>19</sup> tells me that He Enquired at the Late Treaty Ab't the dispositions of the Twightwees. . . .

The Best way to Secure the Indians (next to Rooting out the French) Is Settle near & Strong Enough to Protect them If Friends or destroy them If Enemies—they have sense Enough to See the Folly of Joining w'th the weakest Since they must of Necessity depend On One side or Tother for Arms Cloathing &c—

Weakness of Southern Colonies From Danger of Slaves make a Strong (colony force) Barrier necessary.<sup>20</sup>

We shall Be glad of assistance From England as Freinds & Counsellors But not as Lords & Dictators—we can hear the Voice of reason, But Don't Care to be Dupes or Slaves nor will the greatest authority afford Conviction to us unless accompany'd with more Perswasive arguments—the despised Wisdom of a Poor Man will have more Weight with us than the Haughty Nonsense of those in the most Elevated Stations & great names can only procure Contempt From men of Honesty when Urged to Sanctify Folly & Error—An Establishment at Kentucke<sup>21</sup> woud be Very Handy for Annoying the French Shawnese &c—& Woud at the Same Time give opportunity of Cultivating the Freindship of the Twightwees &c—& from thence a Communication & Correspondence might Be kept w'th the Eng: Forts among the Cherokees<sup>22</sup> & the town of Halifax<sup>23</sup> and might Be helpfull To Each other in Any Emergency and From hence we shoud have Fine Scope For Winter Expeditions—We must Begin By Secureing Some Navigable Branch of Ohio from whence Battoes may pass down & these we must First Plant & Fortify—then Build Battoes and the People All the while Gathering—& then In Summer when People enough gather, ab't 1000 &c, go Lower down, Fortify & Put In Winter Grain—& in the Winter Visit Mobile or New Orleans &c— Expedition motions necessary when dealing w'th The French who Are Active & resolute—See the Fatal Consequences of delays In Braddocks affair, Shirley &c<sup>24</sup>—Had the King of Prussia Acted in the Same dilatory manner he must have Been Swallow'd up—

Let the Legislature of the New Colony have Power In Case of Death of L. H.<sup>25</sup> or I. A.<sup>26</sup> &c—To Appoint others to Act for the King In their Stead—there may be a risque in this and so there Is In other methods—how many millions have Been spent To No purpose By the Kings own armies &c.

<sup>19</sup>Anthony Benezet who was soon to become a warm anti-slavery advocate. He and his son, Samuel, were interested in the West.

<sup>20</sup>Blacks from within and redmen from without constituted a problem for the planters of the early South.

<sup>21</sup>One of the earliest suggestions of the kind.

<sup>22</sup>A second fort named Fort Loudoun was erected in 1756 by South Carolina. See Note 29.

<sup>23</sup>Bond says: "Probably Halifax, the capital of Nova Scotia, and an important military center." However, the context indicates that the name was that proposed for the "metropolis" of the colony, in honor of Lord Halifax whom Hazard was solicitous to enlist as champion or friend of his colonization scheme through Pownall or some one near the court of St. James—the South Carolina fort having been given the name of Loudoun. A thriving industrial town is located on the site. See n. 15, *supra*.

<sup>24</sup>The defeat of Gen. Braddock's army of regulars and colonials took place on July 8, 1755.

<sup>25</sup>Bond in a note: "L— H— doubtless refers to the Earl of Halifax who became president of the Board of Trade in 1748, and took a keen interest in American affairs. Especially did Lord Halifax appreciate the importance of strengthening the English settlements against the French." See Alvord, *op. cit.*, 91, 115.

<sup>26</sup>Bond in a note: "I— A— probably refers to some contemporary British official, but I have been unable to make a positive identification." It seems clear that "Indian Agent" is meant. William Johnson, for the Northern tribes, and Edmund Atkin, for the Southern Indians, were appointed agents of the affairs of the redmen in America, early in 1756. It is interesting that a legislative body for the colony was in contemplation.

A Trading House at Chota<sup>27</sup> wou'd be of good use To Preserve the Freindship of the Indians if In good hands & the Profits of it Might afford them Some presents & save that Expence. If a revolt Is Feard ther will Be more Danger in an Arbitrary than a Popular; By the Power Being Lodged in one Artful ambitious man he may Lead his Slaves where he will—Fort Prince George Is at Keowee<sup>28</sup>—Fort Loudon at Tennisee<sup>29</sup>—Telliguo<sup>30</sup> is one of the Upper Cherokee Towns—How Far it may be necessary For Secret reasons of State To make a Farce of the War & Settlement must Be Left To Others to Judge as well as how Far It Will Be Necessary To Prevent Honour Comeing to Provincial Troops—perhaps It may be Judged Necessary To Distress the Colonies To make them willing to Submit To Absolute Authority<sup>31</sup>

Tell Lord Halifax If the concurrence of our great men an't necessary to give the Scheme weight In England It an't necessary here.

In fixing the staple & Produce of the New Colony, the Soil & Climate must be Considered, & the animal vegetable & mineral Kingdoms investigated—The Produce of all the World Enquired into To Fix on the Best that the Climate &c will admit of—

Let It Be Settled in the Charter that Such Indians as will Live In Towns after the English manner Embrace the Christian Protestant religion & submit to the Laws &c—Shall Be able to Serve In Posts of Government in the same manner as the English—this will Please them & Civilize them—Bringing them To Live & Cloathe as Europeans will Encrease the demand for European Commodities—Potash may be made & Wine & Oyl, Hemp, Flax. To their Encourag't they might Be Told that Such as were neuter Should not be disturbed & Such as Faithfully assisted the English in dispossessing the French Shou'd have the French Possessions.

Hint to Lord Halifax that If I am Forc'd to appeal to the Publick perhaps a Patriot Pitt or Some Noble Lord might Commence Guardian of my orphan scheme & nurse it Up to manhood<sup>32</sup>—

If so Small a number as 2000 French keeps the Indians under, they Cant be strong or numerous—

If Its Supposed my Plan Proposes Too much for the People Let it Be Enquired what It amounts to—Costs the King, Vizt: Land the French Possess & that he perhaps will never get without them, 18d. for Indian Corn w'ch Wont notwithstanding that Cost the King but a Trifle in Comparisson of Braddocks Proviss's Oswego &c—Soldiers at pretty High wages Indeed But not Cloath'd By the King & the raising of w'ch Costs him nothing, and w'ch Are To receive Pay No longer than

<sup>27</sup>The principal town as well as the city of refuge in 1755-57. For a full note on Chota, giving the variant spellings of the word, see Williams, *Early Travels*, 166.

<sup>28</sup>Upper South Carolina, erected before Fort Loudoun, and named Fort Prince George.

<sup>29</sup>Named in honor of the fourth Earl of Loudoun, born (John Campbell) 1705; succeeded his father Hugh in the earldom, 1731; arrived in America, July, 1756; returned to England, 1757; died, April 27, 1782. There was another Fort Loudoun, at Winchester, Va., and much confusion has resulted on the part of historians in relating occurrences to the proper fort. The fort in the Tennessee Country is frequently mis-spelled "Loudon." For the Engineer DeBrahm's account of the fort, its gun equipment, etc., see Williams, *op. cit.*, 190. See, also, n. 22, *supra*. Bond is in error in stating that Andrew Lewis constructed this fort, confusing it with the Virginian fort higher up and on the opposite side of the river; also, that its location is thirty miles above Knoxville. There was a Tennessee town, very near Chota, and it seems to have been the principal town, seat of the emperor, in 1730. "At Tennisee" of the text is not a reference to this town but to the river. Fort Loudoun was located near the later town of Tuskega, at the junction of the Tellico and Little Tennessee Rivers.

<sup>30</sup>Tellico Plains of this day—the "Terriquo" of Col. George Chicken (1725); "Great Tellico" of Sir Alexander Cuming, 1730, and "Telliko" of Adair.

<sup>31</sup>An early hint of what was to be experienced in the next two decades.

<sup>32</sup>This clearly identifies Hazard as the writer of the document. No other scheme that affected the Ohio and Tennessee regions was being promoted at that time.

the Service requires them—What Immense Sums has the Settling and defending Halifax<sup>39</sup> Cost, and how much has Georgia Rec'd, and how Small the Settlements after all. But these Encouragements will Bring Settlers By Thousands.

There must Be Something Very weak or wicked in that management that Suffers Such a Handfull of French & Indians To Invade & Depopulate the Country without Almost any Attempts to Invade them in Our Turn Tho Ten Times as numerous— To suffer a War To Come into Our Own Country & ravage it when we are Able w'th Ease To Invade & ruin Our Enemys Country Is Very Strange. Gov'rs Gen'ls &c—and All Parties pretend Great Zeal & Cry aloud To have Something done and Yet these Very Men prevent what Sh'd Be done—there Certainly must Be Some Very Strange Secret Somewhere—Every miscarries, all attempts or appearances of attempts Prove Abortive— . . .

We see the French, By making Establishments among the Indians tho' Small & Inconsiderable, awe the Indians by it and make them do their work ag't the Eng: we hence Infer the servile disposition of the Indians & their Treatment of those who Care for & Fav'r them most Show their Baseness & Ingratitude. Its hence manifest that motives of Fear are more Forceible w'th them than Love Tho perhaps Both Together wou'd do Best— the Indians By their Savage Education are more depraved in their manners & disposition than Even Corrupt nature Itself wou'd make them without it—The Principal obstacles In the Way of the Settlement of a Colony must Arise either, From the French—the Indians—the want of Men on Our Part—or the Want of assistance and Encouragement to the men— Obviate Each of these—The French inhabitants are Few & may Easily be Subdued—the French regulars must be Employ'd By the Eng. regulars—The Indians Long Insulted & Abused By The French & wild in their dispositions may be awed By the Eng. in their Turn, and made Subservient when they have Both Fear & Intrest to Excite them—Its not to be Suppos'd they whom no Ties of Gratitude will Bind will run counter To their Safety & Intrest when they See where they lie—American Funds are exhausted & Supplies must Come from Eng'd—If anything renders the Scheme Abortive It will be the Want of this in all probability.

First mention & Establish the Principles On w'ch the proposed Settlement is Founded & then Point Out the methods Propos'd on w'ch the Indians & French are to be Treated by Eng &c—Form a Gen'l Plan of operations for America & send Ld Halifax w'th whom must the Scheme & those at the Head of it be Popular or have Influence—an't'r [another] w'th the midling & Low'r Class who wou'd be Settlers—Rich & Great won't go to a Wilderness without great mercenary excitements & most of them wou'd rather be a Burden than a help—Great Names may perhaps be necessary in Eng'd to give it weight for Procureing a Charter & Supplies But are By no means here for Procureing Settlers—and as the Funds of the Colonys are Exhausted & the People ruined By the management of Publick affairs Little Can be expected from them & Little or Nothing will Be needed if we have Supplies from Eng'd. If a Charter and Supplies be granted in Eng'd we have Little need To Attend the delays & the Quarrels Between Gov'rs & Assemblys In order to the Execution of the Scheme—Describe the Country To Be Settled & Its Inhabitants Both w'ch are Little Known To the Publick In America or Europe—their Numbers & Strength have Probably Been Greatly magnified To Excuse neglects—

<sup>39</sup>This reference is to Halifax, Nova Scotia.

### Range my Hints & Memorandums Under Proper Heads—

If it be apprehended that the Money will be Squandered away Let None Issue Till the Service For w'ch It is to Issue and the Methods of Executing them be approved By the Kings Commander in Chief —& they may keep Persons If they Please as Spies To Prevent Frauds and Abuses—we Are Willing To do right But will not be under others who may Force Us To do Wrong; there is a Very material difference Between Being Kept By our Superiors from what they think Wrong and Being Obligated By them to do what we Believe To Be Wrong Ourselves—

Mr. Downer Says he wou'd undertake To Procure 10 Waggons in 2 Mo. in the Spring Capable of Carrying Two Tonn Weight Over Hills & Mountains, Iron Bound, for 15 Pounds P Pennsylv'a money, & If 25 were wanted he wou'd Procure them at 20/ P more in the Same Time All of them New Made & deliv'd in Lancaster . . . These waggons might Be drove By the Settlers—Each Team of 4 Horses ought to have 2 Bushels of Oats a day or If Indian Corn 1/3 Part Less wou'd Be Suffic't—when the Teams get Beyond the Inhabitants where Oats &c Cant be had They must be Fed On Grass & with that Food Only where they Can have Suffic't of It & Tolerable Roads they may Travel 15 Miles a day & Carry 20 cw't and where they Can have Grain and Hay Suffic't they may go 20 Miles a day—this Sort of Marching will however require a Little More prudence & Industry than was used by Braddock where the Horses were Ruined By Bad management & The Time Wasted by the General and the Waggon masters not understanding the Proper Methods of Travelling in Such a Country as this—Its certain It may be Proved By numerous Witness that the Horses were ruined in Braddocks March By Scandalous Ill Management & Ignorance—and the People who Own'd the Teams & knew how to manage them were Beat and Abused & not Suffered to Take the Methods that were necessary To Save the Horses and Expedite the March<sup>84</sup>—

Let the Gen'l Plan of operations be For the Brittish regulars to Employ the French regulars & for the Colonys To attack the French & Indian Settlements. Let it Be Observ'd that most of the Persons Chosen for Trustees of the Colonys are not named Because they are Qualified to make a Figure at St. James or are deeply skill'd in the Intrigues of State & deep arcana of State Policy & Passable to Figure at St. James But because they are Men of Good Plain Common Sense & Downright Integrity—Men who are known and Esteem'd among their Neighbours and whose removal to the Colony wou'd draw many along with them—Men who have had But Little Concern in those Party Debates and Quarrels that have ruined their Country and who will not Be suspected of Secretly Contriving their Destruction under the Pretence of Serving their Welfare—Men who will Be supposed By Our Rusticks, that have not had the advantages of a Genteel education, to be fully as capable of serving their real Interests & Providing for their Security from Indian Bullet or Tomahawk in a dance not the Chambers of Debauch as those who can Politely Lead us—nor will persons move to a Wilderness without Lucrative advantages w'ch will Be an additional expence to the Publick for Less real service— . . .

L. H. Is not affraid of Americans Becomeing Too Powerful But if the Ministry apprehend danger and yet wou'd secure America & Province Trade they must not Prevent Settleing new Colonies But shou'd Keep them From Uniteing Under One Gen'l Head—their Forms of Gov't

<sup>84</sup>Young Daniel Boone was a wagon-driver on this campaign and in the rout of the remnant of the army back to the settlements.

now are different and each Colony has its Own Interests Customs & Prejudices and It must Be very great oppression that will Bring them in any Case To a Union Ag't Their Mother Countrey with whom they are so Strongly United Both By Intrest & affection w'ch will encrease By an encrease of Kindness & Prudence on the Part of the Mother Countrey—

If It Be Tho't Imprudent To Trust Large Settlements To a Few hands Let there Be several Settlements & Let them Be Proportion'd To the number of settlers— Let Those who Procure most settlers have the Largest Territory &c.

Its absolutely Necessary that the Eng: at all Events have a Passage up & Down Mississippi all ours & some Islands for Stages in Passing up & down; the river abounds with Islands. If the Scheme goes On the First Thing must Be to send messengers On First notice to get People To go & Plant Corn at Green Brier, Holston &c. Brad-dock supplied w'th Cattle From North Carolina—Provis's—Both Bread & Meat Very Low there; Employ Cherokees to Raise Corn & Lay up a magazine at a Fort at Tennisee or Chota—Let two Settlements Be made, one at the mouth of New River & one at mouth of Holston & If One at Lake Erie was made also It wou'd still be Better. Suppose 1000 Soldiers Be Employ'd for this Service w'ch Will Unquestionably Be more than will be necessary To Stand Against any Force that Either the Indians or French Inhabitants of the Country Can Be Suppos'd able To Bring—and it must here Be Remembered that the present plan Proceeds upon the Supposition that they are only to act on the defensive and that Brittish regulars will Find Employ for the French regulars.<sup>35</sup>

"Aquone," Johnson City, Tenn.

<sup>35</sup>The frequent repetition of this point shows that Hazard conceived that his colonies must have military support, and comports with Pownall's idea for "a numerous and military colony" to serve as a barrier. Pownall had been Lieutenant-Governor of New Jersey and Hazard in his petition to the general assembly of Connecticut asserted that a considerable number of persons in public office in New Jersey were engaged in his enterprise. *4 Am. Arch.*, I, 863.

## ANDREW JACKSON AND THE GREASY COVE RACE TRACK\*

MRS. ROSALIE B. BROWN

In the year 1788 Col. Robert Love lived in Washington County, North Carolina,—what is now Unicoi County, Tennessee. Love's home was about one mile South of Erwin. At that time this valley was called Greasy Cove. Col. Love owned much land in Greasy Cove; a beautiful valley it is, nestling between the Unaka and Buffalo Mountains, a poem of nature, a dream of beauty in a setting of scenic grandeur, embroidered with the silver fretwork of the Nolichucky's restless billows. No wonder Col. Love was proud of his home and land.

Love was fond of sport, especially horse-racing, so he established a race track on this farm near his home. The track was known as the Greasy Cove Race Track. It was a half cricle, half a mile long. Love owned the champion race horse of the new country, having defeated the fastest horses in Virginia. In the year 1788 Andrew Jackson came from Middle North Carolina to Jonesboro, riding one horse and leading another. The horse he was riding was a race horse. Jackson made his home at Christopher Taylor's, about one mile west of Jonesboro. Taylor had some race horses which were fairly good for the times, together with a pack of the finest, fastest hounds in the country. Everyone knew that Jackson was a devotee of the race-course,—in many respects Andrew Jackson was the most interesting, picturesque and unique character America has ever produced. In his calm and restful moods he was as tender and serene as a child and easily accessible to the very humblest, but when the storm of passion swept over his soul, he was a flaming furnace of fury. The highest order of statesmanship wrought in him its perfect work. Love of country was the controlling emotion of his great soul. In the years before honors thrust themselves so thick and fast upon him, he was what would now be called a "sport." Horse-racing was his special weakness;—a fleet-footed horse was his idol. In the early fall of 1788 when Jackson was a resident of Washington County and boarded with Christopher Taylor (familiarily known as "Kit" Taylor) Jackson's weakness was at

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\*This narrative first appearing in 1897 in "*Dropped Stitches In Tennessee History*" by Judge Allison, and later in a number of reprints, is deemed worthy of another issue not only for the abiding interest of the tradition but also for the valuable data annexed concerning one of the participants.—Colonel Robert Love. Ed.



its weakest, and horse-racing was his most delightful occupation. He had a racer upon which he lavished his time and his affections, which he imagined was the fastest in all the country, and he was eager to back his judgment.

Colonel Robert Love, who lived in Greasy Cove, had defeated the fastest horses in Southwest Virginia about the Wolf Hills,—where Abingdon now stands.

Jackson envied Love and was determined to becloud the reputation of his horse. Love was sent a challenge, which was promptly accepted.

The race was widely and graphically advertised. All upper East Tennessee was stirred into a ferment of excitement, which grew more intense every day from the time of the announcement until the event took place. The place selected for the race was the Greasy Cove Race Track,—on Col. Love's farm. The time came at last for the race, early fall in the year 1788. People came from the counties of Washington, Green, Hawkins, Sullivan and from the Wolf Hills of Virginia. The popular excitement pitched to the highest tension and such a heterogeneous mass as swarmed into that sequestered valley. The old, the young, farmers, workers in wood and iron, lawyers, doctors, saints, sinners, and even preachers; on foot and horseback, singly, in groups and in vast cavalcades. The men—who met at Sycamore Shoals following the “sword of the Lord and of Gideon” across the Smokies under Sevier and Shelby, drove the Tory hordes from Kings Mountain and closed the final chapter of the Revolution in North Carolina with one of its grandest triumphs,—were there. The pioneer, who built his fort-cabin in the wilderness and shot the prowling savage through a chink in the wall, was there, with his faithful spouse and the rest of the family. The love-sick swain in his flax linen, with his bonnie lass in a gown of snowy cotton, was there also. But the horse-race overshadowed everything else in interest and importance. Jackson had been training his horse for months in advance in “Kit” Taylor's neighborhood, and the racer knew his master's imperious will perfectly. He sniffed the battle afar off, and perhaps at the same time the danger-tainted air. The betting was fast and furious,—guns, furs, iron, clothing, cattle, horses, negroes, crops, lands and all the money procurable, were at stake on their favorite steed.

A week or ten days before the race, Jackson was overtaken by a serious disappointment, his jockey,—a negro belonging to “Kit” Taylor—was taken down with a violent fever. Jackson announced his determination to ride the race

himself, and Love readily agreed to the proposition, and when this arrangement became known, the throng became delirious with enthusiasm and delight. The judges were stationed half and half, at each end of the semi-circular track. Jackson appeared on his restless and impatient flier with a haughty air of confidence and self-possession, the rival steed prancing at his side under the control of a born jockey.

They were started with a shout that shook the azure vault above and reverberated in answering echoes from the surrounding mountains. The horses were in fine condition for speed and endurance, and at the word "Go!" they shot out on the smooth track as if they had been hurled from two monster mortars. On they sped, neck and neck. The Jockey was the hazy outline of a boy printed on the air. Jackson rode as if he were part of his spectral horse. The yells of onlookers parked around the crescent course would have drowned the blending screams of a hundred steam-whistles. All at once the Love horse spurted ahead—partisans of Jackson got their breath in gasps. The victor whizzed under the string like an arrow, leaving Jackson to make the goal at his leisure. If Jackson's horse was a "wind-splitter" that left a blue line behind him, Love's was the same as a belated streak of lightning chasing a hurricane that had outrun it. Just for a moment there was a deep ominous hush that precedes the crash of the tempest; then a noise and a tumult that might have been heard in the two neighboring States broke loose—Jackson was the star actor in this riot of passion and frenzy. His tall, sinewy form shook like an aspen leaf and his eyes flashed with the fire of war, flowing the hot lava of denunciation on his rival. Colonel Love stood before this storm unblanched and unappalled, for he too had plenty of sand, answering the burning invective and hissing with the same degree of heat. Jackson denounced Love as a land-pirate—Love was the owner of nearly all the choice land in Greasy Cove. Love retorted by calling Jackson a long, gangling, sorrel-topped "soap stick,"—in those days women conjured their soap by stirring it with a long sassafras stick. It ended by the interference of friends who led the enraged rivals from the grounds in different directions. It is probable that this crushing defeat with its intense mortification and odious memories cooled Jackson's ardor for the time being for the turf and other time-wasting sport of pioneer life. At all events, he later turned his attention to the sober and "weightier matters" of life, and eagerly embraced the "tide in the affairs of men" which led to fame and fortune, and

enabled him at the Council hall and at the head of a great nation to make for himself one of the few immortal names that were not born to die.

The incidents and results of this celebrated horse-race did not in the least discredit Jackson in the estimation of the people where it occurred, as was shown long afterward.

The horse-race in Greasy Cove in the shadow of the mountain over which Jackson had crossed a few months before, and in the midst of early settlement in Tennessee, was not the last time he appeared on horseback in the presence of his admiring and applauding country-men.

In 1833 President Jackson rode on horseback along Broadway in the City of New York in a roaring wake of shouts that came from a "Sea of upturned faces" which lined the whole way of his triumphal ride through the great thoroughfare of the great city. He was then sixty-six years old, and this horsemanship, acquired in the past at the celebrated race in Greasy Cove, prevented on this occasion a serious accident to the President of the United States. It was said by those who witnessed the manner in which he sat upon and controlled the spirited and frightened charger which he rode, that the horse would have dashed any other man headlong from the saddle, but Jackson was as cool and calm as he was skillful and soon brought the animal under perfect control.

Jackson and Love were friends in 1788. After the flame of the race in Greasy Cove wore off they were still friends, and in the year 1828, when Jackson's friends put him in the White House, it was Colonel Love's ambition to give his old friend, whom he had known years before in Tennessee, a unanimous vote in his county of Haywood, North Carolina. Jackson did not only carry Haywood County, but North Carolina gave to Jackson the second largest vote of any of the States of the Union, perhaps through the work of Col. Robert Love, who had served his country as Senator in the State Legislature in 1793, when the county of Buncomb, North Carolina, was two years old.

The Greasy Cove race track has gone down in History. In the near future, the Unaka Chapter, Daughters of the American Revolution, at Erwin, Tennessee, will mark this historic race track with a bronze plate set in a stone from the valley where the race track was located.

#### ROBERT LOVE

Robert Love was the son of Samuel and Dorcas Bell Love of Augusta County, Virginia. He was born near the Tinkling Springs Church-house of that County in 1760 and spent his boyhood days near

his birthplace. Judging from the specimens of his handwriting as seen in the Clerk's office (in the courthouse (having served as the first clerk of the court) and those treasured by his descendants, he must have received the best of the educational advantages of his time. In 1776 when he scarcely was more than fifteen years old the Revolutionary War broke out, and even though just a boy, he at once volunteered in the cause of the colonies and joined Washington's army in the fall of that year at its camp near Boston, and was with Washington in many of the famous battles. When General Anthony Wayne made his attack upon Stony Point in 1779 he was with him, and was so impressed with the courage and bravery of "Mad Anthony," that years later when he founded the town of Waynesville, North Carolina, he named it in honor of this old hero.

In 1780 he was transferred to the department of the South and served under General Nathaniel Green. He fought at the battle of Guilford Courthouse, and was in many battles ere the war closed. He was promoted from time to time, and before the surrender at Yorktown he held the commission of Lieutenant-Colonel in the Continental army, which was a marked distinction for one of his age. After the war was over Colonel Love married Miss Mary Ann Dillard, daughter of General Thomas Dillard of Pittsylvania County, Virginia, and moved to Washington County, North Carolina (Tennessee). Here he became identified with public affairs, and his friendship for Andrew Jackson began.

After a time he became involved in the controversy over the State of Franklin, which Colonel Sevier and his followers were trying to establish out of the western part of North Carolina. Colonel Love took the side of North Carolina and helped Colonel Tipton in disbanding the government that Colonel Sevier had organized. After this affair he moved to what was then Burke—at present Haywood County, North Carolina. After Buncombe County was erected from Burke he served in the State Legislature three successive terms as Senator from that county, 1793-1795.

From his mother he inherited a large fortune and invested it in lands in the western counties and at one time his estate was numbered among the largest in value in North Carolina.

Colonel Love was an ardent democrat and early in life showed his fondness for politics. He was a devout member of the Presbyterian Church. He lived in the days before there was much talk of high cost of living, had a family of thirteen children, six sons and seven daughters, as follows: Thomas, Samuel, William, Dillard, John, James Robert, Anne, Winifred, Dorcas, Martha, Sarah, Mary, Rebecca. Col. Love is buried in Green Hill Cemetery, Waynesville, North Carolina, which was given to the town by his son James Robert Love. Scattered through this cemetery are graves of five generations of his descendants, who have lived and died where their distinguished ancestor was one of the leading pioneers.

Colonel Robert Love, the son of Samuel and Dorcas Love. He married Miss Mary Ann Dillard, daughter of General Thomas Dillard of Pittsylvania County, Virginia. He was the father of Dillard Love, and Dillard Love the father of William Love and others.—William Love the father of Jake, Dillard, John, William, Isaac, James, and others.

*Erwin, Tenn.*

## SOME REMINISCENCES OF AN OLD LAWYER\*

BY W. R. CHAMBERS

Today is the 72nd anniversary of my birth. I was born on August 9, 1859, at what was then known as the Harpole place, on the east side of Hunter's Point pike, just north of Spring creek. This place belonged to John Harpole when Wilson County was formed by act of the General Assembly of Tennessee, passed October 26, 1799, and was the place where the first court was held in Wilson County by a provision contained in that Act, on December 23, 1799, and for two years thereafter. Thus, this seems to have been a very appropriate place for a young lawyer to get his start.

During my infancy, my father moved to Smith County and bought a farm on Round Lick Creek, where he lived till his death in June, 1863, the middle of the Civil War, when I was less than four years old.

Some of my earliest recollections are of seeing large numbers of soldiers, both Union and Confederate. I remember that, on one occasion, a large body of Confederate cavalry was retreating through Smith County, and that my father and mother took all the children to the public road along which they passed, to see them. Many other people were also scattered along the road, giving them greetings of friendship and sympathy, as well as something to eat. They were a tired and hungry army. Dr. W. H. Bennett, a first cousin to my mother, was one of them.

There was such bitter feeling against the Union soldiers that it was the common practice to describe or designate them in profane language, so that the children thought that was the only proper way in which to characterize them. Upon one occasion when I was playing out of doors, a squad of Union soldiers rode into my father's barn lot and began to round up his horses and I, seeing them, rushed into the house and said to my father, "The d—d Yankees are out yonder stealing your horses." As I was less than four years old, of course I do not remember this occurrence; but an uncle of mine, who heard it, used laughingly to tell me about it after the war was over, as illustrating how everybody cursed the Yankees.

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\*These "Reminiscences,"—largely local to Wilson County—were first published in the *Lebanon Democrat*, Aug. 20, 1931.

Soon after my father's death, my mother, with her four small children, being without any protector in Smith County, moved back to Wilson and lived in the home of my grandfather, John Palmer, who had the largest plantation in the fifth civil district. We made our home with him until the children grew up.

This grandfather was born in 1804, on the farm where Charles Murphy, a first cousin to my mother, now resides, near Linwood, east of Lebanon. Grandfather knew the history of the county intimately, and used to tell a great many interesting stories about happenings in his youth, as well as about occurrences that had been related to him by older persons when he was young.

One of these stories was about a trader by the name of Johnson, who had got a hundred dollar bill, one of the first ever in the county. He took the bill home with him, and while at dinner took it out to show to his wife as a great curiosity. While he and his wife were passing the bill from one to the other, they let it drop into a bowl of soup, with which it became saturated. Johnson had a dog that habitually sat behind his master's chair at dinner time, and to which the latter would throw scraps of food over his shoulder, from time to time, so that the dog had become very skillful at catching these scraps in the air. Mr. Johnson fished the hundred dollar bill out of the soup and, in order to get the soup off of it, gave it a sling over his shoulder, when the dog, thinking it was for him, grabbed it and swallowed it.

Thereupon a consultation was held as to what should be done. It was evident that either the bill or the dog would have to be sacrificed: so they decided to kill the dog, cut him open, and recover the money. This was done, the bill was dried, and was as good as ever.

About a hundred years ago, there was a famous hunter in the county named Edmund Jennings. One afternoon he killed a bear on the top of a high hill, and proceeded to skin it. By the time he finished the skinning, it was too late for him to reach home before night, and he wrapped himself in the bear skin, with the raw side outward, and lay down and went to sleep for the night. The weather was so cold that the green skin froze hard around him, so that when he awoke next morning he could not move hand or foot, and had to lie imprisoned until the sun rose sufficiently to warm the bear skin and thaw it, before he could free himself.

From this circumstance, the hill took the name of Jennings Knob.

There was a man by the name of Barton living in the east end of the county, who had an enemy living in the same

neighborhood. During the Florida war Barton joined the army, went to Florida and was killed by the Indians.

When Barton's enemy heard of his death, he got a supply of whisky, called his neighbors all together one night, and celebrated by having drinking, fiddling and dancing.

When the war was over and the soldiers came home, they heard of the celebration of Barton's death; and, on one first Monday when nearly everybody was in town, they laid hold of the gentleman who had had the dance, took him to the town spring, then full of water and very deep, and tossed him in; as fast as he would climb out of the spring, they would seize him and throw him in again; and they continued to do this until he was nearly drowned.

When the country was new, the woods were full of squirrels; wild turkeys and other game. My grandmother Palmer told a story strikingly illustrating the migratory habits of squirrels. She said that, about the beginning of the last century, a woman was washing clothes on the bank of the river near the ferry at Hunter's Point; that, while she was washing, she saw hundreds of squirrels swimming across from the north side of the river; that, by the time they reached the south bank, they were so tired they could not run; and that the woman, using the battling stick with which she had been stirring the clothes, killed scores of the squirrels as they came out of the water.

Another story told by this grandmother was about a white hunter who was out scouting for Indians, and an Indian named Big Foot. She said that somewhere on Cumberland River, below Hunter's Point, there was a shelf of rock that projected out over the water under a bluff far enough for a man to walk along the shelving rock under the bluff and over the water; that, at a bend in the bluff, this scout going in one direction and Big Foot coming in the opposite direction, suddenly met face to face as each was about to go around the bend; that there was no chance for either to escape from the other or avoid him; that the scout drew his hunting knife and the Indian his tomahawk, and they had a death struggle on the shelving rock which ended with the scout's killing Big Foot and throwing him into the river.

Grandfather Palmer used to tell a story about how two boys captured a very large wild turkey gobbler in the neighborhood where he lived in his youth. There was a snow nearly knee-deep that had fallen the night before, and had not had time to freeze on top, so that a turkey could not run through it. The boys were out walking through the snow, when they scared up an immense gobbler. The tur-

key rose and flew a considerable distance, lighting in the snow, which was too light to support his weight. The boys saw where he lit, followed him, flushed him again, and he took second flight, but not so far as the first, lighting in the snow again. They followed after him, repeatedly making him fly, until he became so tired that he could fly no more, and thrust his head under the snow, trying to hide; then they caught him and carried him home in triumph.

My grandfather told another very entertaining story about trapping turkeys on a large scale. He made a trip to Illinois to visit a brother-in-law who was living there just after that state was open to settlement. His brother-in-law complained that the wild turkeys were ravaging his corn field: so grandfather decided that he would set a trap and catch a lot of the marauders. He went around the field until he found the place where the turkeys had been passing in and out. Near this place, inside the field, he dug a trench sufficiently wide and deep for a turkey to walk along in it. He then built a pen of fence rails one side of which crossed the trench, about two feet high. He then scattered corn on the ground outside of the pen on the side where the trench was, and baited the inside of the pen by scattering a great deal of corn there. He also strewed corn along the bottom of the trench, from end to end. He left the trench uncovered inside of the pen, so that the turkeys, after going in to get the corn, would have no difficulty in finding the way out through the trench by which they entered. After doing this, he would go every day to see whether the turkeys had eaten the bait. After they had eaten all the corn for several days in succession, he laid rails across the trench inside of the pen, so that the turkeys, when entering the pen through the trench, would leave the trench near the middle of the pen and, in trying to get out, would go around next to the wall of the pen, and not see the hole by which they entered, and not find the way out.

The next day after covering the trench, he went to the field and found the pen literally full of turkeys. The pen being built of rails ten feet long, must have been about eight feet square; so that there must have been about thirty turkeys in the coop. The question then arose, how he was to get the turkeys out of the pen. He decided that he would move one of the rails with which the pen was covered sufficiently to enable him to get into the enclosure. This he did; but, when he slipped in among the turkeys, it frightened them so badly that they all made an effort at the same moment to fly away from him, and by their combined effort threw the covering off the pen, and all flew away except one hen that he caught.



## BOOK NOTICES AND HISTORICAL NOTES

*The Story of Ascension Parish*, by Sidney A. Marchand of Donaldsonville, La., 1931, is a neatly printed and well-illustrated volume of local Louisiana history. It will serve well not only as a worthy compendium of early historic data and at the same time is modern enough to present this old parish as a country worthy of a place in present-day industry and agricultural interest.

Another highly valuable volume relating to Louisiana is *Louisiana-French*, by William A. Read, Ph.D. This No. 5 in the series of University Studies put forth by the Louisiana State University at Baton Rouge. Dr. Read has hitherto published two papers on the place-names of Louisiana, this study led him to discover numerous words of novel form or meaning in the vocabulary of the French inhabitants of the State, and the worthy volume of 250 pages of *Louisiana-French* is the result. In the discussion several interesting divisions are made, viz.: first the dialect of the Creoles, second the Acadians and their dialect then the French zones in Louisiana. This is followed by a study of the native French words, then the foreign word derived from the Indians, German, English, African, Spanish and Italian. With geographical words and surnames from southern France the interesting discussion is closed.

Quite a number of well-chosen illustrations adorn the book, and instructive bibliography and a good index add to its continued usefulness.

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### RETURN J. MEIGS\*

(The following item will be of interest to Tennesseans.—Ed.)

RETURN JONATHAN MEIGS, of Washington, D. C., elected a corresponding member 3 August 1859, was born at Nashville, Tenn., 25 April 1830, the son of Hon. Return Jonathan and Sally Keyes (Love) Meigs, and died in Washington 2 April 1913.

His line of descent from Vincent Meigs has been given in the memoir of his brother, John Meigs, who was elected a corresponding member of the New England Historic Genealogical Society 1 May 1861 and died 18 April 1905. (See the Register, Vol. 84, pp. 318-319).

He attended the public schools of his native State, and.

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\*The New England Historical and Genealogical Register, Vol. LXXXV, October, 1931, p. 425.

when his father moved to Washington, he accompanied him. Soon he became an official of the Supreme Court of the District of Columbia, and at the time of his death had been first assistant clerk for many years.

He married in Tennessee, May 30, 1854, Elizabeth Martin of Buchanan, Botetourt Co., Va., who was born in 1833 and died in 1915. Of their nine children, four, Elizabeth Martin Meigs, assistant clerk of the Supreme Court of the District of Columbia, Jane Boyd Meigs, a trained nurse, living in California, Mrs. Henry Naylor (Margaret Trimble Meigs), of Washington, and Mrs. Henry Olds (May Clendenin Meigs) survive him.

The sword, commissions, and other papers of Col. Return Jonathan Meigs, an officer in the Revolution, great-grandfather of Mr. Meigs, became the property of Miss Elizabeth Martin Meigs, with the understanding that if Congress desired them, they should become the property of the United States, but that the articles should be kept together. This restriction prevented the Library of Congress from accepting the gifts, as it could not accept the sword, and therefore the collection was given to the National Museum.

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#### SHACKELFORDS AND SHACKLEFORDS

(We have been requested to insert the following notice.—Ed.)

The Shackelford Family Association, organized in 1930 in Montgomery, Ala., is collecting all data possible on the above family, to eventually publish a history. All descendants are urged to send in their records to the historian, Rev. Franklin Shackelford Mosely, No. 11, Noble Avenue, Montgomery, Ala. The annual reunion will be July 4, at Pintlala, fifteen miles south of Montgomery on the Mobile Road, and all descendants are invited to attend.

Dr. Edward Madison Shackelford, Association President. Teachers College, Troy, Ala.

#### NOTE

This Office is in need of the *October* number, 1930, Series II, Volume I, No. 1 (7). We will be glad to pay fifty cents for each copy sent in, or will allow credit on annual subscription for \$1.00. Address, Tennessee Historical Magazine, 30 Memorial Building, Nashville, Tenn.